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January 3, 2012 - special

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

GOVERNMENT DOCUMENTS DEPT
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Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
January 3, 2012 – 4:00 PM
Special Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	David Snyder	Seat 8	Bruce Wolfe (Vice Chair)
Seat 2	Richard Knee	Seat 9	Hanley Chan
Seat 3	Sue Cauthen	Seat 10	Hope Johnson (Chair)
Seat 4	Suzanne Manneh	Seat 11	Jackson West
Seat 5	Allyson Washburn		
Seat 6	(Vacant)	Ex-officio	(Vacant)
Seat 7	Jay Costa	Ex-officio	(Vacant)

2. **Approval of Minutes from the October 25, 2011 Regular Meeting.** (Action)
(attachment) (approximately 10 minutes)

3. **Approval of Minutes from the November 29, 2011 Special Meeting.** (Action)
(attachment) (approximately 10 minutes)

4. **Approval of Minutes from the December 14, 2011 Special Meeting.** (Action)
(attachment) (approximately 10 minutes)

5. **Approval of the Task Force Annual Report to Board of Supervisors** (Discussion and Action) *(attachment) (approximately 15 minutes)*

6. **Discussion of Task Force press releases.** (Discussion and Action)
(attachment) (approximately 10 minutes)

7. **Discussion of Changing Time and Day of Week the Sunshine Ordinance Task Force holds Regular Monthly Meetings.** (Discussion and Action)
(attachment) (approximately 10 minutes)

8. **File No. 11008:** Continued hearing on complaint filed by William Clark against the Arts Commission including the Compliance and Amendments Committee's recommendation to the Task Force. (Discussion and Action)
(attachment) (approximately 15 minutes)

9. **File No. 11063:** Determination of jurisdiction on complaint filed by Anonymous against John Rahaim of the Planning Department for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and

67.33 (Department Head Declaration) at a recent Board of Supervisors Land Use Committee meeting. (Discussion and Action)
(attachment) (approximately 5 minutes)

10. **File No. 11063:** Hearing on complaint filed by Anonymous against John Rahaim of the Planning Department for allegedly violating Ordinance 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), and 67.15 (Public Testimony), and 67.33 (Department Head Declaration) at a recent Board of Supervisors Land Use Committee meeting. (Discussion and Action)
(attachment) (approximately 30 minutes)

11. **File No. 11078:** Determination of jurisdiction on complaint filed by Anonymous against John Rahaim of the Planning Department for allegedly violating certain sections of the Sunshine Ordinance. (Discussion and Action)
(attachment) (approximately 30 minutes)

12. **File No. 11078:** Hearing on complaint filed by Anonymous against John Rahaim of the Planning Department for allegedly violating certain sections of the Sunshine Ordinance at a recent Board of Supervisors meeting. (Discussion and Action)
(attachment) (approximately 30 minutes)

13. **File No. 11068:** Determination of jurisdiction on complaint filed by Anonymous against the Planning Department for allegedly violating various sections of the Sunshine Ordinance. (Discussion and Action)
(attachment) (approximately 5 minutes)

14. **File No. 11068:** Hearing on complaint filed by Anonymous against the Planning Department for allegedly violating various sections of the Sunshine Ordinance. (Discussion and Action)

15. **File No. 11075:** Determination of jurisdiction on complaint filed by Anonymous against Supervisor Scott Wiener for allegedly violating certain sections of the Sunshine Ordinance at a recent Board of Supervisors meeting. (Discussion and Action)
(attachment) (approximately 5 minutes)

16. **File No. 11075:** Hearing on complaint filed by Anonymous against Supervisor Scott Wiener for allegedly violating certain sections of the Sunshine Ordinance at a recent Board of Supervisors meeting. (Discussion and Action)
(attachment) (approximately 30 minutes)

17. **File No. 11082:** Determination of jurisdiction on complaint filed by Anonymous against Caroline Celaya of the San Francisco Municipal Transportation Agency for allegedly not responding in a timely manner to a public records request. (Discussion and Action)
(attachment) (approximately 5 minutes)

18. **File No. 11082:** Hearing on complaint filed by Anonymous against Caroline Celaya of the San Francisco Municipal Transportation Agency for allegedly not responding in a timely manner to a public records request. (Discussion and Action)
(attachment) (approximately 30 minutes)

19. **File No. 11086:** Determination of jurisdiction on complaint filed by Che Hashim against Jarvis Murray of the San Francisco Municipal Transportation Agency for allegedly failing to produce documents related to a video recording system. (Discussion and Action)
(attachment) (approximately 5 minutes)

20. **File No. 11086:** Hearing on complaint filed by Che Hashim against Jarvis Murray of the San Francisco Municipal Transportation Agency for allegedly failing to produce documents related to a video recording system. (Discussion and Action)
(attachment) (approximately 30 minutes)

21. **File No. 11087:** Determination of jurisdiction on complaint filed by Lars Nyman against the Department of Public Works for allegedly failing to produce requested documents. (Discussion and Action)
(attachment) (approximately 5 minutes)

22. **File No. 11087:** Hearing on complaint filed by Lars Nyman against the Department of Public Works for allegedly failing to produce requested documents. (Discussion and Action)
(attachment) (approximately 30 minutes)

23. **File No. 11088:** Determination of jurisdiction on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. (Discussion and Action)
(attachment) (approximately 5 minutes)

24. **File No. 11088:** Hearing on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. (Discussion and Action)
(attachment) (approximately 30 minutes)

25. **File No. 11089:** Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. (Discussion and Action)
(attachment) (approximately 5 minutes)

26. **File No. 11089:** Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. (Discussion and Action)
(attachment) (approximately 30 minutes)

27. **File No. 11091:** Determination of jurisdiction on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for not responding to an Immediate Disclosure Request. (Discussion and Action)
(attachment) (approximately 5 minutes)

28. **File No. 11091:** Hearing on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for not responding to an Immediate Disclosure Request. (Discussion and Action)
(attachment) (approximately 30 minutes)

29. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) Public comment shall be taken at 5:00 pm or as soon thereafter as possible.

30. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

31. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these document, please contact SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at:
http://www.sfbos.org/index.aspxpage=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking times for Complainant and City to be the same.

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 37 of the San Francisco Administrative Code on the Internet , at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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2012

January 3, 2014 - 4:00 PM

Special Meeting

Members: Chair Hope Johnson, Bruce Wolfe (Vice-Chair)
David Snyder, Richard Knee, Sue Cauthen, Suzanne Manneh,
Allyson Washburn, Jay Costa, Hanley Chan, Jackson West

1. **Call to Order, Roll Call, and Agenda Changes.** *(5:00 p.m. - 5:01 p.m)*

The meeting was called to order at 5:00 p.m. Vice Chair Wolfe, Members Snyder, Cauthen, Wolfe, and Chan were noted absent. There was a quorum. Vice Chair Wolfe was noted present at 5:07 p.m.

Member Washburn, seconded by Member Knee, moved to EXCUSE Members Snyder and Cauthen.

There were no speakers. **The motion PASSED without objection.**

Chair Johnson announced that File No. 11086 - Che Hashim v. Jarvis Murray of the San Francisco Municipal Transportation Agency (Item Nos. 19 and 20) were withdrawn by the Complainant. Chair Johnson indicated a request that File No. 11091_Nick Pasquariello v. Office of Supervisor David Chiu (Item Nos. 27 and 28) be continued by the Respondent.

2. **Approval of Minutes from the Regular Meeting of October 25, 2011.** *(5:04 p.m. - 5:06 p.m.)*

Member Knee, seconded by Member Costa, moved to CONTINUE to January 24, 2011.

There were no speakers. **The motion PASSED without objection.**

3. **Approval of Minutes from the Special Meeting of November 29, 2011.** *(5:04 p.m. - 5:06 p.m.)*

Member Knee, seconded by Member Costa, moved to CONTINUE to January 24, 2011.

There were no speakers. **The motion PASSED without objection.**

4. **Approval of Minutes from the Special Meeting of December 14, 2011.** *(5:04 p.m. - 5:06 p.m.)*

Member Knee, seconded by Member Costa, moved to CONTINUE to January 24, 2011.

There were no speakers. **The motion PASSED without objection.**

5. **Approval of the Task Force Annual Report to Board of Supervisors.** *(5:07 p.m. - 5:35 p.m.)*

Members reviewed the report and commented on the matter. A question and answer period followed. Members proposed additional amendments as follows:

Chair Johnson, on Page 10 by adding a fourth paragraph under Enforcement of the Sunshine Ordinance as follows: 'In addition, enforcement of the Sunshine Ordinance may uncover other improper actions within a department. The Task Force wrote letters to the Board of Supervisors on June 17, 2011, and July 6, 2011, documenting its increasing concern regarding repeated violations of the Sunshine Ordinance by the Arts Commission since 2010 and lack of enforcement of the Ordinance. Many of the Sunshine complaints were related to the Street Artists concern over financial expenditures. By mid-July the Head of the Arts Commission was replaced amid allegations of improper financial expenditures and failure to properly track spending. The allegations were then confirmed by the City's Controller Audit Commission in November.'

Member Washburn, on Page 10 by replacing 'LONG TERM ISSUES' with 'ISSUES OF CONCERN'; on Page 10 by adding an additional sentence to the fourth paragraph under Enforcement of the Sunshine Ordinance as follows: 'The Sunshine Ordinance Task Force also found that no public input had been possible prior to the noise ordinance.'

Chair Johnson, on Page 12 by replacing '350' with '280'.

Member Knee, on Page 14 by deleting the first reference to 'normally' in the third paragraph; on Page 19 by replacing the first sentence of the second paragraph with 'The EOTC has three voting seats, two of which are filled; the holders are Jay Costa (Chair) and Suzanne Manneh.'; on Page 19 by deleting 'h' in 'Thomas'; on Page 19 by spelling out 'Municipal Transportation Agency (MTA)' and 'Single Room Occupancy (SRO)'; and throughout the Committee pages to standard the listed complaints format.

Ray Hartz, expressed various concerns relating to people's rights, violations by Boards and Commissions, and resources provided by the Offices of the Clerk of the Board and City Attorney. Jason Grant Garza, expressed various concerns relating to Sunshine

Ordinance Task Force violations of the Ordinance and failure to follow process. David Pilpel, expressed various concerns relating to the reporting period, Administrator's Reports, and lack of an overall date.

Member Knee, seconded by Vice Chair Wolfe, moved to AMEND the Task Force Annual Report through December 2011, as detailed above.

There were no speakers.

The motion PASSED by the following vote:
Ayes: 7 – Knee, Manneh, Washburn, Costa, Wolfe, West, Johnson
Excused: 2 – Snyder, Cauthen
Absent: 1 – Chan

Vice Chair Wolfe, seconded by Member Knee, motioned to CONTINUE AS AMENDED to January 24, 2011.

There were no other speakers. **The motion PASSED without objection.**

6. **Discussion of Task Force Press Releases.** *(5:35 p.m. - 6:02 p.m.)*

Member Costa provided an overview of the Education, Outreach and Training Committee's discussion and intention. Members commented on the matter.

Member Washburn, seconded by Member Knee, moved that the Education, Outreach, and Training Committee, begin work on the concept of Press Releases.

Jason Grant Garza, spoke expressing various concerns relating to the process and in support of press releases. Ray Hartz (San Francisco Open Government), spoke expressing various concerns and in support of press releases. Lin Danny, expressed various concerns relating to meeting accessibility. David Pilpel, expressed various concerns relating to seriatim meetings. Female Speaker, spoke expressing various concerns and in support of press releases.

There were no other speakers. The motion PASSED by the following vote:
Ayes: 7 – Knee, Manneh, Washburn, Costa, Wolfe, West, Johnson
Excused: 2 – Snyder, Cauthen
Absent: 1 – Chan

7. **Discussion of Changing Time and Day of Week the Sunshine Ordinance Task Force Regular Meetings.** *(6:02 p.m. - 6:06 p.m.)*

Chair Johnson provided an overview of the proposed change in schedule and indicated that additional resources needed to be review and therefore this matter would be **CONTINUED to January 24, 2012**. Ray Hartz (San Francisco Open Government), expressed concern relating to start time. Male Speaker, expressed concerns relating to rooms. There were no other speakers. Members commented on the matter. No further action was taken.

8. **File No. 11008:** Continued hearing on complaint filed by William Clark against the Arts Commission including the Compliance and Amendments Committee's recommendation to the Task Force. *(6:20 p.m. - 6:43 p.m.)*

Chair Johnson provided a recap of the prior proceedings. William Clark (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. There was no Respondent present. There were no speakers in support of the Respondent. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find further violations.

Vice Chair Wolfe, seconded by Member Knee, moved to RECONSIDER THE ORIGINAL ORDER OF DETERMINATION and CONTINUE to January 24, 2012.

There were no other speakers.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Manneh, Washburn, Costa, Wolfe, West, Johnson
Absent: 1 - Chan
Excused: 2 - Snyder, Cauthen

RECESS
The Task Force reconvened at 6:44 p.m.

9. **File No. 11063:** Determination of jurisdiction on complaint filed by Anonymous against John Rahaim of the Planning Department for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and 67.33 (Department Head Declaration) at a recent Board of Supervisors Land Use Committee meeting. *(6:44 p.m. - 7:46 p.m*

Member Knee, seconded by Vice Chair Wolfe, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

10. **File No. 11063:** Hearing on complaint filed by Anonymous against John Rahaim of the Planning Department for allegedly violating Ordinance 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), and 67.15 (Public Testimony), and 67.33 (Department Head Declaration) at a recent Board of Supervisors Land Use Committee meeting. *(6:44 p.m. - 7:46 p.m.)*

Anonymous (Complainant) provided an overview of the complaint, responded to questions raised throughout the discussion, and further requested the Task Force to find violation. Male Speaker; Female Speaker; spoke expressing various concerns and in

support of the Complainant. Brian Smith (Respondent), Planning Department, provided an overview of the Agency's defense, responded to question raised throughout the discussion, and further requested the Task Force to dismiss the complaint. A question and answer period followed. Respondent provided a rebuttal and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal and further requested the Task Force to find violation.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

David Pilpel; spoke expressing various concerns and in support of the finding. Ray Hartz; spoke expressing various concerns and in opposition to the finding. There were no other speakers. Task Force Members commented on the matter. No further action was taken.

11. **File No. 11078:** Determination of jurisdiction on complaint filed by Anonymous against John Rahaim of the Planning Department for allegedly violating certain sections of the Sunshine Ordinance. *(7:46 p.m. - 7:48 p.m*

Vice Chair Wolfe, seconded by Member Knee, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

12. **File No. 11078:** Hearing on complaint filed by Anonymous against John Rahaim of the Planning Department for allegedly violating certain sections of the Sunshine Ordinance at a recent Board of Supervisors meeting. *(7:47 p.m. - 8:16 p.m.)*

Anonymous (Complainant) provided an overview of the complaint, responded to questions raised throughout the discussion, and further requested the Task Force to find violation. There were no speakers in support of the Complainant. Brian Smith (Respondent), Planning Department, provided an overview of the Agency's defense, responded to question raised throughout the discussion, and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent did not provide a rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

David Pilpel; spoke expressing various concerns and in support of the finding. Ray Hartz; spoke expressing various concerns and in opposition to the finding. There were no other speakers. Task Force Members commented on the matter. No further action was taken.

13. **File No. 11068:** Determination of jurisdiction on complaint filed by Anonymous against the Planning Department for allegedly violating various sections of the Sunshine Ordinance. *(8:16 p.m. - 8:31 p.m.)*

A question and answer period followed. Anonymous (Complainant) provided an overview of the jurisdiction and further requested the Task Force to find jurisdiction.

There were no speakers in support of the Complainant. Brian Smith (Respondent), Planning Department, provided an overview of their contest to jurisdiction. There were no speakers in support of the Respondent.

Member Manneh, seconded by Member Costa, moved to find jurisdiction.

Ray Hartz (San Francisco Open Government), spoke expressing various concerns relating to jurisdiction. David Pilpel, spoke expressing various concerns and in support of finding jurisdiction. There were no other speakers.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Manneh, Washburn, Costa, Wolfe, West, Johnson
Absent: 1 - Chan
Excused: 2 - Snyder, Cauthen

14. **File No. 11068:** Hearing on complaint filed by Anonymous against the Planning Department for allegedly violating various sections of the Sunshine Ordinance. *(8:31 p.m. - 10:10 p.m.)*

Anonymous (Complainant) provided an overview of the complaint and further requested the Task Force to find violation. Male Speaker, Female Speaker, spoke expressing various concerns and in support of the Complainant. Brian Smith (Respondent), Planning Department, provided an overview of the Agency's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Costa, seconded by Member Manneh, moved to find violation of Sunshine Ordinance Sections 67.21(a),(b) and 67.25(d) based on the excessive timeliness of the Complainants receipt of said documents, and referral to Compliance and Amendments Committee.

Ray Hartz (San Francisco Open Government); spoke expressing various concerns and in support of the finding. David Pilpel; spoke expressing various concerns in opposition to the finding. There were no other speakers

The motion PASSED by the following vote:
Ayes: 7 - Knee, Manneh, Washburn, Costa, Wolfe, West, Johnson
Absent: 1 - Chan
Excused: 2 - Snyder, Cauthen

ORDERED DETERMINED and REFERRED TO COMPLIANCE AND AMENDMENTS.

15. **File No. 11075:** Determination of jurisdiction on complaint filed by Anonymous against Supervisor Scott Wiener for allegedly violating certain sections of the Sunshine Ordinance at a recent Board of Supervisors meeting. *(10:12 p.m. - 10:14 p.m.)*

Member Knee, seconded by Vice Chair Wolfe, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED without objection.**

16. **File No. 11075:** Hearing on complaint filed by Anonymous against Supervisor Scott Wiener for allegedly violating certain sections of the Sunshine Ordinance at a recent Board of Supervisors meeting. *(10:12 p.m. - 10:14 p.m.)*

Member Knee, seconded by Vice Chair Wolfe, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED without objection.**

17. **File No. 11082:** Determination of jurisdiction on complaint filed by Anonymous against Caroline Celaya of the San Francisco Municipal Transportation Agency for allegedly not responding in a timely manner to a public records request. *(10:12 p.m. - 10:14 p.m.)*

Member Knee, seconded by Vice Chair Wolfe, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED without objection.**

18. **File No. 11082:** Hearing on complaint filed by Anonymous against Caroline Celaya of the San Francisco Municipal Transportation Agency for allegedly not responding in a timely manner to a public records request. *(10:12 p.m. - 10:14 p.m.)*

Member Knee, seconded by Vice Chair Wolfe, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED without objection.**

19. **File No. 11086:** Determination of jurisdiction on complaint filed by Che Hashim against Jarvis Murray of the San Francisco Municipal Transportation Agency for allegedly failing to produce documents related to a video recording system. *(5:04 p.m. - 5:05 p.m*

Chair Johnson indicated that File No. 11086_Che Hashim v. Jarvis Murray of the San Francisco Municipal Transportation Agency (Item Nos. 19 and 20) were withdrawn by the Complainant. *(See Item No. 1)*

TABLED BY OPERATION OF LAW.

20. **File No. 11086:** Hearing on complaint filed by Che Hashim against Jarvis Murray of the San Francisco Municipal Transportation Agency for allegedly failing to produce documents related to a video recording system. *(5:04 p.m. - 5:05 p.m*

Chair Johnson indicated that File No. 11086_Che Hashim v. Jarvis Murray of the San Francisco Municipal Transportation Agency (Item Nos. 19 and 20) were withdrawn by the Complainant. *(See Item No. 1)*

TABLED BY OPERATION OF LAW.

21. **File No. 11087:** Determination of jurisdiction on complaint filed by Lars Nyman against the Department of Public Works for allegedly failing to produce requested documents. *(10:14 p.m. - 10:15 p.m.)*

Member Knee, seconded by Vice Chair Wolfe, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

22. **File No. 11087:** Hearing on complaint filed by Lars Nyman against the Department of Public Works for allegedly failing to produce requested documents. *(10:15 p.m. - 11:15 p.m.)*

Lars Nyman (Complainant) provided an overview of the complaint and further requested the Task Force to find violation. There were no speakers in support of the Complainant. Frank Lee (Respondent), Department of Public Works, provided an overview of the Agency's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal and further requested the Task Force to find violation.

Vice Chair Wolfe, seconded by Member West, moved to find violation of Sunshine Ordinance Sections 67.21(c),(e) based on not identify the existence, form, and nature of any records and failure to produce the documents; and referral to Compliance and Amendments Committee.

Ray Hartz (San Francisco Open Government); David Pilpel; spoke expressing various concerns and in support of the finding. There were no other speakers.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Manneh, Washburn, Costa, Wolfe, West, Johnson
Absent: 1 - Chan
Excused: 2 - Snyder, Cauthen

ORDERED DETERMINED and REFERRED TO COMPLIANCE AND AMENDMENTS.

23. **File No. 11088:** Determination of jurisdiction on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. *(11:15 p.m. - 11:16 p.m.)*

Member West, seconded by Member Manneh, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED without objection.**

24. **File No. 11088:** Hearing on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. *(11:15 p.m. - 11:16 p.m.)*

Member West, seconded by Member Manneh, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED without objection.**

25. **File No. 11089:** Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(11:15 p.m. - 11:16 p.m.)*

Member West, seconded by Member Manneh, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED without objection.**

26. **File No. 11089:** Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(11:15 p.m. - 11:16 p.m.)*

Member West, seconded by Member Manneh, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED without objection.**

27. **File No. 11091:** Determination of jurisdiction on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for not responding to an Immediate Disclosure Request. *(5:03 p.m. - 5:04 p.m. & 6:19 p.m. - 6:20 p.m.)*

Chair Johnson indicated a request that File No. 11091_Nick Pasquariello v. Office of Supervisor David Chiu (Item Nos. 27 and 28) be continued by the Respondent.

Member Washburn, seconded by Member West, made a motion to CONTINUE to January 24, 2012. The motion was withdrawn.

Member Manneh, seconded by Vice Chair Wolfe, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED by the following vote:**
Ayes: 7 – Knee, Manneh, Washburn, Costa, Wolfe, West, Johnson
Excused: 2 – Snyder, Cauthen
Absent: 1 – Chan

28. **File No. 11091:** Hearing on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for not responding to an Immediate Disclosure Request. *(5:03 p.m. - 5:04 p.m. & & 6:19 p.m. - 6:20 p.m.)*

Chair Johnson indicated a request that File No. 11091_Nick Pasquariello v. Office of Supervisor David Chiu (Item Nos. 27 and 28) be continued by the Respondent.

Member Washburn, seconded by Member West, made a motion to CONTINUE to January 24, 2012. The motion was withdrawn.

Member Manneh, seconded by Vice Chair Wolfe, moved to CONTINUE to January 24, 2012.

There were no speakers. **The motion PASSED by the following vote:**
Ayes: 7 – Knee, Manneh, Washburn, Costa, Wolfe, West, Johnson
Excused: 2 – Snyder, Cauthen
Absent: 1 – Chan

29. **Public Comment:** *(6:05 p.m. - 6:19 p.m.)*

Jason Grant Garza, spoke expressing various concerns relating to the Task Force. David Pilpel, spoke of the passing of Sanjiv Handa and further requested the Task Force to adjourn in his memory. Ray Hartz (San Francisco Open Government), spoke expressing various concerns relating to open government. Female Speaker, spoke expressing various concerns relating to appearance of Respondents. Male Speaker, spoke expressing various concerns relating to a complaint. There were no other speakers.

Chair Johnson and Jerry Threet (City Attorney's Office) responded to questions raised throughout the public comment period.

30. **Announcements, Comments, Questions, and Future Agenda Items.** *(11:15 p.m. - 11:16 p.m.)*

There were none.

31. **ADJOURNMENT***(11:16 p.m. - 11:17 p.m.)*

Member Manneh, seconded by Member West, moved to ADJOURN in memory of Sunshine Advocate, Sanjiv Handa of Oakland.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Task Force adjourned at the hour of 11:17 p.m.

APPROVED: October 1, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

N.B. The Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

January 24, 2012

SUNSHINE ORDINANCE TASK FORCE

CITY AND COUNTY OF SAN FRANCISCO

AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

January 24, 2012 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	David Snyder	Seat 8	Bruce Wolfe (Vice Chair)
Seat 2	Richard Knee	Seat 9	Hanley Chan
Seat 3	Sue Cauthen	Seat 10	Hope Johnson (Chair)
Seat 4	Suzanne Manneh	Seat 11	Jackson West
Seat 5	Allyson Washburn		
Seat 6	(Vacant)	Ex-officio	(Vacant)
Seat 7	Jay Costa	Ex-officio	(Vacant)

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2. **Approval of Minutes from the October 25, 2011 Regular Meeting.** (Action)
(attachment) (approximately 10 minutes)

3. **Approval of Minutes from the November 29, 2011 Special Meeting.** (Action)
(attachment) (approximately 10 minutes)

4. **Approval of Minutes from the December 14, 2011 Special Meeting.** (Action)
(attachment) (approximately 10 minutes)

5. **Approval of the Task Force Annual Report to Board of Supervisors** (Discussion and Action) *(attachment) (approximately 15 minutes)*

6. **Discussion of Changing Time and Day of Week the Sunshine Ordinance Task Force holds Regular Monthly Meetings.** (Discussion and Action)
(attachment) (approximately 10 minutes)

7. **File No. 11067:** Determination of jurisdiction on complaint filed by Anonymous against Deputy City Attorney Cheryl Adams for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and 67.21 (Access to Public Records) at a recent Board of Supervisors Land Use Committee meeting. (Discussion and Action)
(attachment) (approximately 5 minutes)

8. **File No. 11067:** Hearing on complaint filed by Anonymous against Deputy City Attorney Cheryl Adams for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and 67.21 (Access to Public Records) at a recent Board of Supervisors Land Use Committee meeting. (Discussion and Action)
(attachment) (approximately 30 minutes)

9. **File No. 11079:** Determination of jurisdiction on complaint filed by Anonymous against Deputy City Attorney Cheryl Adams for allegedly violating certain sections of the Sunshine Ordinance. (Discussion and Action)
(attachment) (approximately 5 minutes)

10. **File No. 11079:** Hearing on complaint filed by Anonymous against Deputy City Attorney Cheryl Adams for allegedly violating certain sections of the Sunshine Ordinance. (Discussion and Action)
(attachment) (approximately 30 minutes)

11. **File No. 11066:** Determination of jurisdiction on complaint filed by Anonymous against Deputy City Attorney Charles Sullivan for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and 67.21 (Access to Public Records) at a recent Board of Supervisors Land Use Committee meeting. (Discussion and Action)
(attachment) (approximately 5 minutes)

12. **File No. 11066:** Hearing on complaint filed by Anonymous against Deputy City Attorney Charles Sullivan for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and 67.21 (Access to Public Records) at a recent Board of Supervisors Land Use Committee meeting. (Discussion and Action)
(attachment) (approximately 30 minutes)

13. **File No. 11080:** Determination of jurisdiction on complaint filed by Anonymous against Deputy City Charles Sullivan for allegedly violating certain sections of the Sunshine Ordinance. (Discussion and Action)
(attachment) (approximately 5 minutes)

14. **File No. 11080:** Hearing on complaint filed by Anonymous against Deputy City Attorney Charles Sullivan for allegedly certain sections of the Sunshine Ordinance. (Discussion and Action)
(attachment) (approximately 30 minutes)

15. Reconsideration of **File No. 11008:** Complaint filed by William Clark against the Arts Commission regarding incomplete audio cassette tape of the January 12, 2011 Street Artists Program Committee meeting. (Discussion and Action)
(attachment) (approximately 15 minutes)

16. **File No. 11082:** Determination of jurisdiction on complaint filed by Anonymous against Caroline Celaya of the San Francisco Municipal Transportation Agency for allegedly not responding in a timely manner to a public records request. (Discussion and Action)
(attachment) (approximately 5 minutes)

17. **File No. 11082:** Hearing on complaint filed by Anonymous against Caroline Celaya of the San Francisco Municipal Transportation Agency for allegedly not responding in a timely manner to a public records request. (Discussion and Action)
(attachment) (approximately 30 minutes)

18. **File No. 11088:** Determination of jurisdiction on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. (Discussion and Action)
(attachment) (approximately 5 minutes)

19. **File No. 11088:** Hearing on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. (Discussion and Action)
(attachment) (approximately 30 minutes)

20. **File No. 11089:** Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. (Discussion and Action)
(attachment) (approximately 5 minutes)

21. **File No. 11089:** Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. (Discussion and Action)
(attachment) (approximately 30 minutes)

22. **File No. 11090:** Determination of jurisdiction on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. (Discussion and Action)
(attachment) (approximately 5 minutes)

23. **File No. 11090:** Hearing on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. (Discussion and Action)
(attachment) (approximately 30 minutes)

24. **File No. 11091:** Determination of jurisdiction on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request. (Discussion and Action)
(attachment) (approximately 5 minutes)

25. **File No. 11091:** Hearing on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request. (Discussion and Action)
(attachment) (approximately 30 minutes)

26. Report: Compliance and Amendments Committee meeting of January 10, 2012. (Discussion and possible action)
(attachment) (approximately 5 minutes)

27. Report: Education, Outreach, and Training Committee meeting of January 12, 2012. (Discussion and possible action)
(attachment) (approximately 5 minutes)

28. Administrator's Report. (Discussion)
(attachment) (approximately 5 minutes)

29. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) Public comment shall be taken at 5:00 pm or as soon thereafter as possible.

30. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

31. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as this document, please contact SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at:
http://www.sfbos.org/index.aspxpage=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each

Above total speaking times for Complainant and City to be the same.

3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 37 of the San Francisco Administrative Code on the Internet at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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January 24, 2012 – 4:00 PM

Regular Meeting

Members: Hope Johnson (Chair), Bruce Wolfe (Vice-Chair)
David Snyder, Richard Knee, Sue Cauthen, Suzanne Manneh,
Allyson Washburn, Jay Costa, Hanley Chan, Jackson West

1. **Call to Order, Roll Call and Agenda Changes.** *(4:06 p.m. - 4:12 p.m.)*

The meeting was called to order at 4:06 p.m. On the Call of the Roll, Member Snyder, Member Costa, Member Chan and Member West were noted absent. Member Cauthen was noted absent at 6:55 p.m. Member Costa noted absent at 6 p.m. Member Chan noted absent at 6:52. Member Costa noted present at 9:33 p.m. Member Snyder noted absent at 11:03 p.m.

Vice-Chair Wolfe, seconded by Member Knee, motioned to excuse Member West.

Public Comment: None.

The motion passed without objection.

Member Snyder, Member Costa and Member Chan were noted present at 4:08 p.m.

Chair Johnson announced that Items 22 and 23 would not be heard because the complainant had requested a continuance.

Items 16 and 17 were heard before Item 11.

One break was taken at 5:55 p.m. and another at 8:28 p.m..

2. **Approval of Minutes from the October 25, 2011, Regular Meeting.** *(4:12 p.m. -4:46 p.m.)*

Wolfe, seconded by Member Manneh, motioned to approve the minutes.

Several amendments were made to the minutes.

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Member Knee motioned to continue the minutes but died for a lack of a second.

Public Comment: Peter Warfield, Tomas Picarello, Ray Hartz, Doug Comstock and Charles Pitts expressed their views.

Member Washburn, seconded by Member Knee, motioned to continue the minutes to the February 28, 2012, meeting.

The motion carried by the following vote:
Ayes: 9 – Snyder, Knee, Cauthen, Manneh, Washburn, Costa, Wolfe, Chan, Johnson
Excused: 1 – West

3. **Approval of Minutes from the November 29, 2011, Special Meeting.** *(4:47 p.m. - 5:08 p.m.)*

Items 3 and 4 were taken at the same time.

Member Washburn, seconded by Member Knee motioned to have the Rules Committee review it before placing it on the February 28, 2012, meeting agenda.

A substitute motion was offered.

Chair Johnson, seconded by Wolfe, motioned to have members submit their suggested corrections to the administrator before the February 28, 2012, meeting

Public Comment: Ray Hartz, Peter Warfield, Nick Pasquariello, Tomas Picarello and Charles Pitts expressed their views.

4. **Approval of Minutes from the December 14, 2011, Special Meeting.**

Please see Item 3.

5. **Approval of the Task Force Annual Report to Board of Supervisors.** *(5:20 p.m. - 5:37 p.m.)*

Members discussed the document and moved to finalize it.

Public Comment: Peter Warfield expressed his views.

Wolfe, seconded by Member Washburn, motioned to approve the amended report.

The motion carried by the following vote:
Ayes: 9 – Snyder, Knee, Cauthen, Manneh, Washburn, Costa, Wolfe, Chan, Johnson
Excused: 1 – West

6. **Discussion of Changing Time and Day of Week the Sunshine Ordinance Task Force holds Regular Monthly Meetings.** *(5:37 p.m. - 5:56 p.m.)*

Members discussed various dates for the Task Force and its committees.

Public Comment: Ray Hart expressed his view.

Member Costa, seconded by Vice-Chair Wolfe, motioned to change the Task Force's regularly monthly meetings to the 1st Wednesday of the month, effective March 7, 2012.

Public Comment: None.

The motion carried by the following vote:
Ayes: 9 – Snyder, Knee, Cauthen, Manneh, Washburn, Costa, Wolfe, Chan, Johnson
Excused: 1 – West

7. **File No. 11067:** Determination of jurisdiction on complaint filed by Anonymous against Deputy City Attorney Cheryl Adams for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and 67.21 (Access to Public Records) at a recent Board of Supervisors Land Use Committee meeting. *(6:06 p.m. -725 p.m.)*

Vice-Chair Wolfe, seconded by Member Knee, motioned to find jurisdiction.

Public Comment: None.

The motion carried without objection.

8. **File No. 11067:** Hearing on complaint filed by Anonymous against Deputy City Attorney Cheryl Adams for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and 67.21 (Access to Public Records) at a recent Board of Supervisors Land Use Committee meeting.

Complainant Anonymous presented her case. An unidentified, female, Ray Hartz, and two unidentified males spoke in support of the Complainant. The Respondent was not present. No one in the audience presented facts and evidence in support of the Respondent.

Task Force members were discussing the complaint when the Respondent withdrew the case.

9. **File No. 11079:** Determination of jurisdiction on complaint filed by Anonymous against Deputy City Attorney Cheryl Adams for allegedly violating certain sections of the Sunshine Ordinance. *(7:26 p.m. - 8:20 p.m.)*

Member Washburn, seconded by Member Knee, motioned to find jurisdiction.

Public Comment: None.

The motion carried without objection.

10. **File No. 11079:** Hearing on complaint filed by Anonymous against Deputy City Attorney Cheryl Adams for allegedly violating certain sections of the Sunshine Ordinance.

Complainant Anonymous presented her case. An unidentified male spoke in support of the Complainant. The Respondent was not present. No one in the audience presented facts and evidence in support of the Respondent.

Vice-Chair Wolfe, seconded by Member Washburn, motioned to find DCA Cheryl Adams in violation of Section 67.21(e) for not attending the hearing and a letter to be forwarded to the City Attorney's Office because of their lack of appearance.

Public Comment: An unidentified male, Ray Hartz, and an unidentified female expressed their views.

The motion carried by the following vote:
Ayes: 6 – Snyder, Knee, Manneh, Washburn, Wolfe, Johnson
Excused: 1 – West
Absent: 3:-- Cauthen, Costa, Chan

11. **File No. 11066:** Determination of jurisdiction on complaint filed by Anonymous against Deputy City Attorney Charles Sullivan for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and 67.21 (Access to Public Records) at a recent Board of Supervisors Land Use Committee meeting. *(8:38 p.m. - 9:57 p.m.)*

Items 11 and 13 were taken together as requested by the Complainant.

Vice-Chair Wolfe, seconded by Member Washburn, motioned to find jurisdiction.

Public Comment: None.

The motion carried without objection.

12. **File No. 11066:** Hearing on complaint filed by Anonymous against Deputy City Attorney Charles Sullivan for allegedly violating Ordinance Section 67.7 (Agenda Requirements: Regular Meetings), 67.7-1 (Public Notice Requirements), 67.8 (Agenda Disclosures: Closed Session), 67.15 (Public Testimony), and 67.21 (Access to Public Records) at a recent Board of Supervisors Land Use Committee meeting.

Items 12 and 14 were taken together as requested by the Complainant.

Complainant Anonymous presented her case. An unidentified male, Ray Hartz, and an unidentified male spoke in support of the Complainant. The Respondent was not present. No one in the audience presented facts and evidence in support of the Respondent.

Member Knee, seconded by Vice-Chair Wolfe, motioned to find DCA Charles Sullivan in violation of Section 67.21(e) for not attending the hearing and for a letter to be forwarded to the City Attorney's Office because of their lack of appearance.

Public Comment: An unidentified male expressed his view.

The motion carried by the following vote:
Ayes: 7 – Snyder, Knee, Manneh, Washburn, Costa, Wolfe, Johnson
Excused: 1 – West
Absent: 2:-- Cauthen, Chan

13. **File No. 11080:** Determination of jurisdiction on complaint filed by Anonymous against Deputy City Charles Sullivan for allegedly violating certain sections of the Sunshine Ordinance.

Please see Item 11.

14. **File No. 11080:** Hearing on complaint filed by Anonymous against Deputy City Attorney Charles Sullivan for allegedly certain sections of the Sunshine Ordinance.

Please see Item 12.

15. Reconsideration of **File No. 11008:** Complaint filed by William Clark against the Arts Commission regarding incomplete audio cassette tape of the January 12, 2011 Street Artists Program Committee meeting. *9:57 p.m. - 10:56 p.m.)*

William Clark presented his complaint. Julios Mattos represented the Arts Commission.

Member Knee, seconded by Member Washburn, motioned to continue the matter.

Public Comment: Ray Hartz expressed his view.

The motion carried by the following vote:
Ayes: 7 – Snyder, Knee, Manneh, Washburn, Costa, Wolfe, Johnson
Excused: 1 – West
Absent: 2:-- Cauthen, Chan

16. **File No. 11082:** Determination of jurisdiction on complaint filed by Anonymous against Caroline Celaya of the San Francisco Municipal Transportation Agency for allegedly not responding in a timely manner to a public records request. *(8:22 p.m. -8:28 p.m.)*

Chair Johnson said the Complaint could not attend the hearing but the respondent was in the room.

Chair Johnson, seconded by Member Knee, motioned to dismiss the case but giving Anonymous the chance to re-file the complaint.

Public Comment: None.

Joy Houlihan, Deputy Director of Parking Enforcement with the SFMTA, said the department did respond to the request but was late because of confusion among transiting personnel.

The motion carried by the following vote:
Ayes: 6 – Snyder, Knee, Manneh, Washburn, Wolfe, Johnson
Excused: 1 – West
Absent: 3:-- Cauthen, Costa, Chan

17. **File No. 11082:** Hearing on complaint filed by Anonymous against Caroline Celaya of the San Francisco Municipal Transportation Agency for allegedly not responding in a timely manner to a public records request.

Please see Item 16.

18. **File No. 11088:** Determination of jurisdiction on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. *(10:56 p.m. -11:09 p.m.)*

Complainant Ray Hartz argued for jurisdiction. Member Knee, seconded by Member Costa, motioned to find jurisdiction. The Respondent was not present. No one in the audience presented facts and evidence in support of the Respondent.

Vice-Chair Wolfe, seconded by Member Knee, motioned to find jurisdiction and to send a response letter to the Ethics Commission Member citing Section 67.30(c) with Chair Johnson's signature.

Public Comment: None.

The motion carried by the following vote:
Ayes: 6 – Knee, Manneh, Washburn, Costa, Wolfe, Johnson
Excused: 1 – West
Absent: 3:-- Snyder, Cauthen, Chan

19. **File No. 11088:** Hearing on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes.

Continued to the February 28, 2012, meeting.

20. **File No. 11089:** Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents.

Continued to the February 28, 2012, meeting.

21. **File No. 11089:** Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents.

    Continued to the February 28, 2012, meeting.

22. **File No. 11090:** Determination of jurisdiction on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format.

    Continued to the February 28, 2012, meeting.

23. **File No. 11090:** Hearing on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format.

    Continued to the February 28, 2012, meeting.

24. **File No. 11091:** Determination of jurisdiction on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request.

    Continued to the February 28, 2012, meeting.

    File No. 11091: Hearing on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request.

    Continued to the February 28, 2012, meeting.

25. Report: Compliance and Amendments Committee meeting of January 10, 2012.

    Not heard.

26. Report: Education, Outreach, and Training Committee meeting of January 12, 2012.

    Not heard.

27. Administrator's Report.

    Not heard.

28. **Public Comment:** *(5:08 p.m. - 5:20 p.m.)*

    William Clark, Nick Pasquariello, Ray Hartz, Peter Warfield, Doug Comstock and Tomas Picarello expressed their views.

29. **Announcements, Comments, Questions, and Future Agenda Items.**

30. None.

31. ADJOURNMENT

With the hour being past City Hall closing time, the Task Force adjourned at 11:09 p.m.

APPROVED: October 1, 2014

Victor Young
Administrator
Sunshine Ordinance Task Force

N.B. The Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

02-23-12P01:21 RCVD

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February 28, 2012 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	David Snyder	Seat 8	Bruce Wolfe (Vice Chair)
Seat 2	Richard Knee	Seat 9	Hanley Chan
Seat 3	Sue Cauthen	Seat 10	Hope Johnson (Chair)
Seat 4	Suzanne Manneh	Seat 11	Jackson West
Seat 5	Allyson Washburn		
Seat 6	(Vacant)	Ex-officio	(Vacant)
Seat 7	Jay Costa	Ex-officio	(Vacant)

2. **Approval of Minutes from the October 25, 2011 Regular Meeting.** (Action)
(attachment) (approximately 10 minutes)

3. **Approval of Minutes from the November 29, 2011 Special Meeting.** (Action)
(attachment) (approximately 10 minutes)

4. **Approval of Minutes from the December 14, 2011 Special Meeting.** (Action)
(attachment) (approximately 10 minutes)

5. **Approval of Minutes from the January 3, 2012 Special Meeting.** (Action)
(attachment) (approximately 10 minutes)

6. **Approval of Minutes from the January 24, 2012 Regular Meeting.** (Action)
(attachment) (approximately 10 minutes)

7. Discussion of Survey of Costs of Compliance with City Sunshine Ordinance (Discussion and possible action)
(attachment) (approximately 15 minutes)

8. **File No. 11056:** The Compliance and Amendments Committee has referred #11056 Allen Grossman v Dennis Herrera and Jack Song of the City Attorney's Office back to the Task Force with a recommendation that it be referred to the Ethics Commission with a request for enforcement of the Order of Determination, and to find Mr. Song in violation of

Section 67.21(e) for being absent during the latter part of the committee's hearing on the item.
(attachment) (approximately 15 minutes)

9. Reconsideration of **File No. 11008**: Complaint filed by William Clark against the Arts Commission regarding incomplete audio cassette tape of the January 12, 2011 Street Artists Program Committee meeting.
(attachment) (approximately 15 minutes)

10. **File No. 11050:** Determination of jurisdiction on complaint filed by. Barbara Thompson against the Board of Appeals for allegedly interrupting her during public comment. (Discussion and Action)
(attachment) (approximately 5 minutes)

11. **File No. 11050:** Hearing on complaint filed by Barbara Thompson against the Board of Appeals for allegedly interrupting her during public comment. (Discussion and Action)
(attachment) (approximately 45 minutes)

12. **File No. 11088**: Hearing on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. (Discussion and Action)
(attachment) (approximately 30 minutes)

13. **File No. 11089**: Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. (Discussion and Action)
(attachment) (approximately 5 minutes)

14. **File No. 11089**: Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. (Discussion and Action)
(attachment) (approximately 45 minutes)

15. **File No. 11090:** Determination of jurisdiction on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. (Discussion and Action)
(attachment) (approximately 5 minutes)

16. **File No. 11090:** Hearing on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. (Discussion and Action)
(attachment) (approximately 45 minutes)

17. **File No. 11091:** Determination of jurisdiction on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request. (Discussion and Action)
(attachment) (approximately 5 minutes)

18. **File No. 11091**: Hearing on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request. (Discussion and Action)
(attachment) (approximately 30 minutes)

19. **File No. 11093:** Determination of jurisdiction on complaint filed by John Darmanin against Fire Marshal Thomas Harvey for allegedly not releasing several internal documents. (Discussion and Action)
(attachment) (approximately 5 minutes)

20. **File No. 11093:** Hearing on complaint filed by John Darmanin against Fire Marshal Thomas Harvey for allegedly not releasing several internal documents. (Discussion and Action)
(attachment) (approximately 45 minutes)

21. **File No. 11094:** Determination of jurisdiction on complaint filed by Charles Pitts against the non-profit Community Housing Partnership for allegedly not providing requested information. (Discussion and Action)
(attachment) (approximately 5 minutes)

22. **File No. 11094:** Hearing on complaint filed by Charles Pitts against the non-profit Community Housing Partnership for allegedly not providing requested information. (Discussion and Action)
(attachment) (approximately 45 minutes)

23. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) Public comment shall be taken at 5:00 pm or as soon thereafter as possible.

24. **Report: Education, Outreach and Training Committee meeting of February 9, 2012.** (Discussion and Action)
(attachment) (approximately 5 minutes)

25. **Report: Compliance and Amendments meeting of February 14, 2012.** (Discussion and Action)
(approximately 5 minutes)

26. **Report: Technology Committee meeting of February 10, 2012.** (Discussion and Action.)
(approximately 5 minutes)

27. **Administrator's Report.** (Discussion and Action)
(attachment) (approximately 5 minutes)

28. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

29. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these document, please contact SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at

Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 37 of the San Francisco Administrative Code on the Internet , at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

GOVERNMENT
DOCUMENTS DEPT
MAY 24 2016
SAN FRANCISCO
PUBLIC LIBRARY

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

February 28, 2012 – 4:00 PM

Special Meeting

Members: Chair Hope Johnson, Bruce Wolfe (Vice-Chair)
David Snyder, Richard Knee, Sue Cauthen, Suzanne Manneh,
Allyson Washburn, Jay Costa, Hanley Chan, Jackson West

1. **Call to Order, Roll Call, and Agenda Changes.** *(1:05 - 6:47)*

The meeting was called to order at 4:11 p.m. Vice Chair Wolfe, Members Cauthen, Manneh, and Washburn were noted absent. There was a quorum. Member Manneh was noted present at 4:47 p.m. Member Chan left at 7:30 pm

Member Snyder, seconded by Member Knee, moved to EXCUSE Vice Chair Wolfe and Member Washburn.

There were no speakers. **The motion PASSED without objection.**

Chair Johnson announced Deputy City Attorney Michael Karns as the interim Sunshine Ordinance Task Force attorney until the arrival of Deputy City Attorney Jerry Threet; and that Complainant Nick Pasquariello, File No. 11091, Nick Pasquariello v. the Office of David Chiu, would be absent.

2. **Approval of Minutes from the October 25, 2011 Regular Meeting.** *(6:48 - 11:40)*

Member Knee, seconded by Member Snyder, moved to accept the October 25, 2011, Minutes.

There were no speakers.

The motion PASSED by the following vote.
Ayes: 6 - Snyder, Knee, Costa, Chan, West, Johnson
Excused: 2 - Washburn, Wolfe
Absent: 1 - Cauthen

3. **Approval of Minutes from the November 29, 2011 Special Meeting.** *(11:41 - 14:18)*

Member Knee, seconded by Member Costa, moved to CONTINUE to March 7, 2012.

There were no speakers. **The motion PASSED without objection.**

4. **Approval of Minutes from the December 14, 2011 Special Meeting.** *(14:19 - 25:33)*

Member Knee, seconded none, moved to accept the December 14, 2011, Minutes.

Speaker: Peter Warfield, expressed clarification to the minutes to reflect specific violations in accordance with Sunshine Ordinance and that his Compliant did not receive draft minutes from the Art's Commission as promptly as required by law. There were no other speakers.

The motion PASSED by the following vote.
Ayes: 6 - Snyder, Knee, Costa, Chan, West, Johnson
Excused: 2 - Washburn, Wolfe
Absent: 1 - Cauthen

5. **Approval of Minutes from the January 3, 2012 Special Meeting.** *(25:34. - 46:30)*

Member Knee, seconded none, moved to accept the January 3, 2012, Minutes.

Chair Johnson indicated that the minutes are generic and requested to have at least one line of detail for each speaker.

Member Knee, seconded by Member Jackson, moved substitute motion to continue to March 7, 2012.

Speakers: Allen Grossman, expressed concern regarding the quality of minutes; Ray Hartz, expressed the importance of having action minutes versus summary minutes; Thom Picarello, expressed concern regarding the minutes not being specific or timely; Peter Warfield, spoke in support of the substitute motion to continue. There were no other speakers.

The motion PASSED without objection.

6. **Approval of Minutes from the January 24, 2012 Regular Meeting.** *(46:31 – 55:20)*

Member Knee, seconded none, moved to CONTINUE to the March 7, 2012.

Speakers: Peter Warfield indicated that the minutes do not meet the requirements of the Sunshine Ordinance; Ray Hartz, recited a Mark Twain quote; Thom Picarello, spoke in support of having specific detail of speaker comments. There were no other speakers.

The motion PASSED without objection.

7. Discussion of Survey of Costs of Compliance with City Sunshine Ordinance. *(1.19.38 - 1:55:53)*

Member Knee provided an overview of the survey of costs of compliance with the City Sunshine Ordinance. Chair Johnson commented on the matter. Member Snyder commented on the cost analysis by the Budget and Legislative Analyst's Office on the Sunshine Ordinance Task Force.

Speakers: Patrick Upshaw, spoke expressing opposition to the survey of costs of compliance. Thom Picarello, advised the Task Force to respond with comments to the Budget and Legislative Analyst's Office regarding the survey. Peter Warfield, spoke expressing concerns regarding the survey of costs of compliance and reluctance of Budget and Legislative Analyst's Office to release survey information. Ray Hartz, spoke expressing concern relating to nondisclosure of the survey of costs of compliance. There were no other speakers.

Member Costa, Seconded by Member Knee, moved to Continue to the March 7, 2012 meeting.

The motion PASSED without objection.

RECESS
The Task Force reconvened at 6:31 p.m.

8. **File No. 11056:** The Compliance and Amendments Committee has referred Case No.11056, Allen Grossman v Dennis Herrera and Jack Song of the City Attorney's, Office back to the Task Force with a recommendation that it be referred to the Ethics Commission with a request for enforcement of the Order of Determination, and to find Mr. Song in violation of Section 67.21(e) for being absent during the latter part of the committee's hearing on the item. *(2:16:53 -2:42:31)*

Member Chan stated he knew Jack Song.

Allen Grossman (Complainant) provided an overview of the complaint and further requested the Task Force to find violation and not refer the case to the Ethics Commission. There were no speakers in support of the Complainant. Jack Song (Respondent), City Attorney's Office, requested to present a presentation during his time allotted for rebuttal. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal.

Speakers: Thom Picarello, spoke expressing concern of the violation going before the Ethics Commission. Ray Hartz, spoke expressing concern regarding the item going

before the Ethics Commission. Peter Warfield, spoke expressing concerns regarding Mr. Song and the City Attorney's Office. There were no other speakers.

Member Costa, seconded by Member Mannah, moved to find violation of Sunshine Ordinance Section 67.21(e) based on Mr. Song walking out of the hearing; referral to the Ethics Commission.

The motion PASSED by the following vote:
Ayes: 6 - Snyder, Knee, Costa, Chan, West, Johnson
Excused: 2 - Washburn, Wolfe
Absent: 1 - Cauthen

9. Reconsideration of **File No. 11008**: Complaint filed by William Clark against the Arts Commission regarding incomplete audio cassette tape of the January 12, 2011 Street Artists Program Committee meeting. *(2:44:24 -)*

William Clark (Complainant), provided an overview of the complaint, and spoke expressing concerns of not receiving un-redacted audio cassette. There were no speakers in support of the complaint. Julio Mantos (Respondent), Arts Commission, provided an overview of the Commission's defense, responded to questions raised throughout the discussion, and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent declined his time allotted to a rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Knee suggested sending the item to the Compliance and Amendments Committee.

Chair Johnson, seconded by Member Knee, and moved to find violation of Sunshine Ordinance Sections 67.14(b), 67.16, 67.21(e), 67.34 based on the failure to provide an audio recording that was not erased or destroyed, not including missing dialogue in the minutes, not sending a knowledgeable representative to the hearing, willful failure. The Respondent is to work with the Complainant to have the minutes reflect missing portion and mark tape to refer to the minutes; referral to Compliance and Amendments Committee.

Speaker: Ray Hartz, spoke expressing concern regarding the Arts Commission's audio equipment being in compliance with Sunshine Ordinance. There were no other speakers.

The motion PASSED by the following vote:
Ayes: 6 - Snyder, Knee, Costa, West, Johnson
Excused: 2 - Washburn, Wolfe
Absent: 1 - Cauthen, Chan

ORDERED DETERMINED and REFERRED TO COMPLIANCE AND AMENDMENTS.

10. **File No. 11050:** Determination of jurisdiction on complaint filed by, Barbara Thompson against the Board of Appeals for allegedly interrupting her during public comment. *(3:29:00 - 3:29:37)*

Member Knee, seconded by Member Costa, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

11. **File No. 11050:** Hearing on complaint filed by Barbara Thompson against the Board of Appeals for allegedly interrupting her during public comment. *(3:29:38 - 4:17:14)*

Barbara Thompson (Complainant), provided an overview of the complaint, responded to questions raised throughout the discussion, and further requested the Task Force to find violation. There were no speakers in support of the complainant. Cynthia Goldstein (Respondent), Board of Appeals, provided an overview of the Board's defense, responded to questions raised throughout the discussion, and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal and further requested the Task Force to find violation.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

Speaker: Ray Hartz, expressed concern on having to be sworn in to speak at the Board of Appeals. There were no other speakers

RECESS

The Task Force reconvened at 8:50 p.m.

12. **File No. 11088**: Hearing on complaint filed by Ray Hartz against the Ethics Commission for allegedly failing to include his 150-word summary in the body of its meeting minutes. *(4:46:58 - 5:26:15)*

Ray Hartz (Complainant) provided an overview of the complaint, responded to questions raised throughout the discussion, and further requested the Task Force to find violation. There were no speakers in support of the Complainant. Ethics Commission (Respondent), was not present to provide an overview of the Commission's defense, or respond to questions. There were no speakers in support of the Respondent. Complainant provided a rebuttal and further requested the Task Force to find violation.

Chair Johnson, seconded by Member Costa, moved to find violation of Sunshine Ordinance Sections 67.30, 67.30(c), 67.16 and 67.21(e) based on Task Force's jurisdiction, prior rulings to include a 150 word statement as submitted for the

minutes, and the Task Force interpretation of phrase "in the minutes", for the Respondent's failure to appear before the Task Force; referral to Compliance and Amendments Committee.

Speaker: David Pilpel, spoke expressing support of the finding. There were no other speakers.
The motion PASSED by the following vote:
Ayes: 6 - Snyder, Knee, Costa, West, Johnson
Excused: 2 - Washburn, Wolfe
Absent: 1 - Cauthen, Chan

ORDERED DETERMINED and REFERRED TO COMPLIANCE AND AMENDMENTS.

13. **File No. 11089**: Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents *(5:27:44 - 5:29:47)*

Member Knee, seconded by Member Costa, moved to CONTINUE to April 4, 2012.

There were no speakers. **The motion PASSED without objection.**

14. **File No. 11089**: Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(5:27:44 - 5:29:47)*

Member Knee, seconded by Member Costa, moved to CONTINUE to April 4, 2012.

There were no speakers. **The motion PASSED without objection.**

15. **File No. 11090:** Determination of jurisdiction on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. *(1:17:18 - 1:19:05)*

Member Knee, seconded by Member West, moved to CONTINUE to March 7, 2012.

There were no speakers. **The motion PASSED without objection.**

16. **File No. 11090:** Hearing on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. *(1:19:06 - 1:22:10)*

Member Knee, seconded by Member West, moved to CONTINUE to March 7, 2012.

There were no speakers. **The motion PASSED without objection.**

17. **File No. 11091:** Determination of jurisdiction on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request.

Member West, seconded by Member Chan, moved to CONTINUE to the Call of the Chair

There were no speakers. **The motion PASSED without objection.**

18. **File No. 11091**: Hearing on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request. *(5:30:28 - 5:32:49)*

Member West, seconded by Member Chan, moved to CONTINUE to the Call of the Chair

There were no speakers. **The motion PASSED without objection.**

19. **File No. 11093:** Determination of jurisdiction on complaint filed by John Darmanin against Fire Marshal Thomas Harvey for allegedly not releasing several internal documents. *(5:30:28 - 5:34:00)*

Member Knee, seconded by Member Manneh, moved to Dismiss the case due to the Complainant's absence.

There were no speakers. **The motion PASSED without objection.**

20. **File No. 11093:** Hearing on complaint filed by John Darmanin against Fire Marshal Thomas Harvey for allegedly not releasing several internal documents. *(5:30:28 - 5:32:49)*

Member Knee, seconded by Member Manneh, moved to Dismiss the case due to the Complainant's absence.

There were no speakers. **The motion PASSED without objection.**

21. **File No. 11094:** Determination of jurisdiction on complaint filed by Charles Pitts against the non-profit Community Housing Partnership for allegedly not providing requested information. *(4:22:54 -4:46:16)*

Charles Pitts (Complainant) provided an overview of the complaint and further requested the Task Force to find violation. There were no speakers in support of the Complainant. Jeffery Kohler (Respondent), Community Housing Partnership, provided an overview of the Agency's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Knee, seconded by Member Snyder,.

Speaker: David Pilpel stated opposition to the motion.

The motion PASSED without objection.

22. **File No. 11094:** Hearing on complaint filed by Charles Pitts against the non-profit Community Housing Partnership for allegedly not providing requested information. *(4:22:54 -4:46:16)*

Member Knee, seconded by Member Snyder, moved to find no jurisdiction.

There were no speakers. **The motion PASSED without objection.**

23. **Public Comment:** *(55.22. – 1:17:17)*

Speakers: Peter Warfield, expressed concerns regarding Ethics and Library Commissions. Patrick Upshaw, expressed interested in being added to the Sunshine Ordinance Task Force subscribers list. William Clark, spoke expressing concern relating to Street Artist program. Allen Grossman, spoke expressing concern relating to the Administrator's role and duties. Peter Warfield, spoke expressing concern regarding the lack of detail with the history of complaints in the complaint log. Ray Hartz, spoke expressing the improvements made due to the Task Force. Thom Picarello, spoke expressing concerns of not having the Ex-officio Member present and the inconvenience of having hearings called late into the evening due to the number of items on the agenda. There were no other speakers.

24. **Report: Education, Outreach and Training Committee meeting of February 9, 2012.** (5:33:12 - 5:35:01)

Member Costa made the report.

There were no speakers.

25. **Report: Compliance and Amendments meeting of February 14, 2012.** (5:35:02 - 5:39:02)
Chair Johnson and Member Knee made the report.

Speaker: David Pilpel expressed concern regarding the date of joint Ethics Commission meeting.

26. **Report: Technology Committee meeting of February 10, 2012.** (5:40:07 - 5:44:02)

Members West, Costa and Snyder made the report.

Speaker: David Pilpel expressed concern regarding the objective of the committee.

27. **Administrator's Report.** (5:44:03 - 5:46:12)

The Administrator made the report.

Speaker: David Pilpel expressed concern regarding the transition and complaint backlog.

28. **Announcements, Comments, Questions, and Future Agenda Items.** (5:46:13 - 5:55:12)

Member Knee made an announcement that the Society of Professional Journalists, Northern California Chapter, will hold its annual James Madison Awards Dinner on March 15, 2012. Chair Johnson announced that the non-profit meeting announcements binder in the library is in need of assistance with posting and asked if a committee member would assist. Chair Johnson also suggested designing a Good Guide from the Sunshine Ordinance Task Force's perspective.

Speaker: David Pilpel, spoke expressing the benefit of having a pending list for items to be heard.

29. **ADJOURNMENT**

Member Knee, seconded by Member West, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Task Force adjourned at the hour of 10:18 p.m.

APPROVED: October 1, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

N.B. The Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

03-06-12P02:15 RCVD

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT

MAR - 5 2012

SAN FRANCISCO
PUBLIC LIBRARY

March 7, 2012 – 5:00 PM

Rescheduled Meeting

NOTICE IS HEREBY GIVEN *that the regularly scheduled meeting of the Sunshine Ordinance Task Force on Wednesday, March 7, 2012, at 4:00 p.m., has been* ***RESCHEDULED*** *to Wednesday, March 7, 2012, at 5:00 p.m.*

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	David Snyder	Seat 8	Bruce Wolfe (Vice Chair)
Seat 2	Richard Knee	Seat 9	Hanley Chan
Seat 3	Sue Cauthen	Seat 10	Hope Johnson (Chair)
Seat 4	Suzanne Manneh	Seat 11	Jackson West
Seat 5	Allyson Washburn		
Seat 6	(Vacant)	Ex-officio	(Vacant)
Seat 7	Jay Costa	Ex-officio	(Vacant)

2. Discussion of Survey of Costs of Compliance with City Sunshine Ordinance (Discussion and possible action)
(attachment) (approximately 15 minutes)

3. **File No. 11090:** Determination of jurisdiction on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. (Discussion and Action)
(attachment) (approximately 5 minutes)

4. **File No. 11090:** Hearing on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. (Discussion and Action)
(attachment) (approximately 45 minutes)

5. **File No. 11095:** Determination of jurisdiction on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents. (Discussion and Action)
(attachment) (approximately 5 minutes)

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

03-05-12P02:15 RCVD

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT

MAR - 5 2012

SAN FRANCISCO
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Seat 3	Sue Cauthen	Seat 10	Hope Johnson (Chair)
Seat 4	Suzanne Manneh	Seat 11	Jackson West
Seat 5	Allyson Washburn		
Seat 6	(Vacant)	Ex-officio	(Vacant)
Seat 7	Jay Costa	Ex-officio	(Vacant)

2. Discussion of Survey of Costs of Compliance with City Sunshine Ordinance (Discussion and possible action)
(attachment) (approximately 15 minutes)

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4. **File No. 11090:** Hearing on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. (Discussion and Action)
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5. **File No. 11095:** Determination of jurisdiction on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents. (Discussion and Action)
(attachment) (approximately 5 minutes)

6. **File No. 11095:** Hearing on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents. (Discussion and Action)
(attachment) (approximately 45 minutes)

7. **File No. 11096:** Determination of jurisdiction on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents and delayed response. (Discussion and Action)
(attachment) (approximately 5 minutes)

8. **File No. 11096:** Hearing on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents and delayed response. (Discussion and Action)
(attachment) (approximately 45 minutes)

9. **File No. 11097:** Determination of jurisdiction on complaint filed by Charles Pitts against the Police Department for allegedly not providing requested information. (Discussion and Action)
(attachment) (approximately 5 minutes)

10. **File No. 11097:** Hearing on complaint filed by Charles Pitts against the Police Department for allegedly not providing requested information. (Discussion and Action)
(attachment) (approximately 45 minutes)

11. **File No. 11098:** Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Louis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. (Discussion and Action)
(attachment) (approximately 5 minutes)

12. **File No. 11098:** Hearing on complaint filed by Ray Hartz, Jr. against Louis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. (Discussion and Action)
(attachment) (approximately 45 minutes)

13. **File No. 12001:** Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting requested speaker cards information. (Discussion and Action)
(attachment) (approximately 5 minutes)

14. **File No. 12001:** Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting requested speaker cards information. (Discussion and Action)
(attachment) (approximately 45 minutes)

15. **File No. 12002:** Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly routinely asking members of the public to fill out speaker cards if they wish to speak, reinforcing the impression that they are required. (Discussion and Action)
(attachment) (approximately 5 minutes)

16. **File No. 12002:** Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly routinely asking members of the public to fill out speaker cards if they wish to speak, reinforcing the impression that they are required. (Discussion and Action)
(attachment) (approximately 45 minutes)

17. **File No. 12003:** Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly not allowing provisions for general public comment about the Bernal Heights Branch Library's historic multi-cultural Victor Jara Mural destruction and replacement. (Discussion and Action)
(attachment) (approximately 5 minutes)

18. **File No. 12003:** Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly not allowing provisions for general public comment about the Bernal Heights Branch Library's historic multi-cultural Victor Jara Mural destruction and replacement. (Discussion and Action)
(attachment) (approximately 45 minutes)

19. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) Public comment shall be taken at 5:00 pm or as soon thereafter as possible.

20. **Administrator's Report.** (Discussion and Action)
(approximately 5 minutes)

21. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

22. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these document, please contact SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at

Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 37 of the San Francisco Administrative Code on the Internet , at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

GOVERNMENT
DOCUMENTS DEPT
MAY 24 2016
SAN FRANCISCO
PUBLIC LIBRARY

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

March 7, 2012 – 5:00 PM

Rescheduled Meeting

Members: Chair Hope Johnson, Vice-Chair Bruce Wolfe, David Snyder, Richard Knee, Sue Cauthen, Suzanne Manneh, Allyson Washburn, Jay Costa, Hanley Chan, Jackson West

1. **Call to Order, Roll Call, and Agenda Changes.** *(00:00:01 –00:04:47)*

The meeting was called to order at 5:17 p.m. Vice Chair Wolfe, Members Cauthen, Costa, and Chan were noted absent. There was a quorum. Member Costa was noted present at 5:40 p.m.

Member Knee, seconded by Member Washburn, moved to EXCUSE Vice Chair Wolfe and Member Chan.

Public comment: Jason Grant Garza spoke against the motion. Patrick Monette Shaw spoke in support of the motion.

The motion PASSED without objection.

2. Discussion of Survey of Costs of Compliance with City Sunshine Ordinance *(00:24:33 – 1:27:06)*

Task Force members discussed the Controller's survey of City agencies and departments, requested by Supervisor Scott Wiener, of costs of compliance with San Francisco's Sunshine Ordinance.

Member Washburn, seconded by Member Knee, moved that the Chair send a letter to Supervisor Wiener, on behalf of the Task Force, acknowledging the survey, expressing concern with the secrecy of the survey request, requesting clarification of motive and expected benefits, expressing concern with the survey instrument, offering input, and inviting Supervisor Wiener to attend a meeting to discuss the survey.

Public comment: Patrick Monette-Shaw; Thomas Picarello; Ray Hartz, Director, San Francisco Open Government; Peter Warfield, Executive Director, Library Users Association; and Hal Smith spoke in support of the motion.

The motion PASSED by the following vote:
Ayes: 7 - Snyder, Knee, Manneh, Washburn, Costa, West, Johnson
Absent: 1 – Cauthen
Excused: 2 – Chan, Wolfe

3. **File No. 11090:** Determination of jurisdiction on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. *(1:31:16 – 1:31:47)*

Member Knee, seconded by Member Washburn, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

4. **File No. 11090:** Hearing on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. *(1:31:48 – 2:49:10)*

Complainant Patrick Monette-Shaw provided an overview of the complaint and requested the Task Force find violation. No speakers offered facts and evidence in support of complainant. Respondent Monique Zmuda, Deputy Controller, provided an overview of the Controller's response and requested the Task Force dismiss the complaint. No speakers offered facts and evidence in support of respondent. A question and answer period followed. Respondent did not provide a rebuttal. Complainant provided a rebuttal and again requested the Task Force to find violation.

Respondent stated the data requested by complainant existed in raw form and would require many hours to generate accurately in report form. The parties agreed to work to resolve the request with alternate data.

Member Snyder, seconded by Member Washburn, moved to CONTINUE THE MATTER TO THE CALL OF THE CHAIR.

Public comment: Ray Hartz, Jr., San Francisco Open Government, asked if program used to provide information to San Francisco Chronicle columnists Matier and Ross was still available. Peter Warfield inquired as to the purpose for the postponement of the item and for what result.

The motion PASSED by the following vote:
Ayes: 7 - Snyder, Knee, Manneh, Washburn, Costa, West, Johnson
Absent: 1 – Cauthen
Excused: 2 – Chan, Wolfe

RECESS

The Task Force reconvened at 8:19 p.m.

5. **File No. 11095:** Determination of jurisdiction on complaint filed by Arnita Bowman against the Recreation and Park Department for allegedly not providing requested documents. *(00:04:48 –00:06:20)*

   Complainant sent notice she would not be able to attend the hearing.

   Member Knee, seconded by Member Washburn, moved to CONTINUE the matter to the Task Force's regular meeting of April 4, 2012.

   There were no speakers. **The motion PASSED without objection.**

6. **File No. 11095:** Hearing on complaint filed by Arnita Bowman against the Recreation and Park Department for allegedly not providing requested documents. *(00:04:48 – 00:06:20)*

   Complainant sent notice she would not be able to attend the hearing.

   Member Knee, seconded by Member Washburn, moved to CONTINUE the matter to the regular meeting of April 4, 2012.

   There were no speakers. **The motion PASSED without objection.**

7. **File No. 11096:** Determination of jurisdiction on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents and delayed response. *(00:04:48 – 00:06:20)*

   Complainant sent notice she would not be able to attend the hearing.

   Member Knee, seconded by Member Washburn, moved to CONTINUE the matter to the regular meeting of April 4, 2012.

   There were no speakers. **The motion PASSED without objection.**

8. **File No. 11096:** Hearing on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents and delayed response. *(00:04:48 – 00:06:20)*

   Complainant sent notice she would not be able to attend the hearing.

   Member Knee, seconded by Member Washburn, moved to CONTINUE the matter to the regular meeting of April 4, 2012.

   There were no speakers. **The motion PASSED without objection.**

9. **File No. 11097:** Determination of jurisdiction on complaint filed by Charles Pitts against the Police Department for allegedly not providing requested information. (Discussion and Action) *(00:06:20 – 00:08:52)*

Complainant requested a continuance.

Member Washburn, seconded by Member Knee, moved to CONTINUE the matter to the regular meeting of April 4, 2012.

There were no speakers. **The motion PASSED without objection.**

10. **File No. 11097:** Hearing on complaint filed by Charles Pitts against the Police Department for allegedly not providing requested information. *(00:06:20 – 00:08:52)*

Complainant requested a continuance.

Member Washburn, seconded by Member Knee, moved to CONTINUE the matter to the regular meeting of April 4, 2012.

There were no speakers. **The motion PASSED without objection.**

11. **File No. 11098:** Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian, for allegedly not including a brief written summary of his comments in meeting minutes. *(3:06 – 3:08)*

Member Knee, seconded by Member Washburn, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

12. **File No. 11098:** Hearing on complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian, for allegedly not including a brief written summary of his comments in meeting minutes. *(3:08 – 4:07)*

Complainant Ray Hartz, Jr. provided an overview of the complaint and requested the Task Force find violation. No speakers offered facts and evidence in support of complainant. Respondent was not present. No speakers offered facts and evidence in support of respondent. A question and answer period followed. Deputy City Attorney Michael Karns responded to questions from Task Force members. Complainant provided a rebuttal and again requested the Task Force to find violation.

Member Washburn, seconded by Member Knee, moved (1) to find Luis Herrera in violation of Sunshine Ordinance Sections 67.16 and 67.21(e) for failure to include the 150-word summary of the Complainants's comments in the Library Commission meeting minutes and the Respondent's failure to appear at this hearing, and (2) refer the matter to Compliance and Amendments Committee.

Public comment: Peter Warfield, Executive Director, Library Users Association, said the Task Force should find that the Respondent committed a willful violation.

The motion PASSED by the following vote:

Ayes: 7 - Snyder, Knee, Manneh, Washburn, Costa, West, Johnson
Absent: 1 – Cauthen

Excused: 2 – Chan, Wolfe

ORDERED DETERMINED and REFERRED TO COMPLIANCE AND AMENDMENTS.

RECESS

The Task Force reconvened at 9:25 p.m.

13. **File No. 12001:** Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting requested speaker cards information. *(4:12 – 4:13)*

Member Knee, seconded by Member Manneh, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

14. **File No. 12001:** Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting requested speaker cards information. *(4:13 – 5:17)*

Complainant Peter Warfield, Executive Director, Library Users Association, provided an overview of the complaint and requested the Task Force find violation. No speakers offered facts and evidence in support of complainant. Respondent Kate Patterson, Public Relations Director, Arts Commission, provided an overview of the Arts Commission response and requested the Task Force dismiss the complaint. No speakers offered facts and evidence in support of respondent. A question and answer period followed. Respondent provided a rebuttal and again requested the Task Force dismiss the complaint. Complainant provided a rebuttal and again requested the Task Force find violation.

Member Washburn, seconded by Member Manneh, moved (1) to find the Arts Commission in violation of Sunshine Ordinance Sections 67.25(a) for failure to respond in a timely manner, 67.26 for failure to keep withholding to a minimum by providing unredacted speaker cards, and 67.27 for failure to justify withholding the redacted information; and (2) to refer the matter to Compliance and Amendments Committee.

The motion PASSED by the following vote:
Ayes: 7 - Snyder, Knee, Manneh, Washburn, Costa, West, Johnson
Absent: 1 – Cauthen
Excused: 2 – Chan, Wolfe

ORDERED DETERMINED and REFERRED TO COMPLIANCE AND AMENDMENTS.

15. **File No. 12002:** Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly routinely asking members of the

public to fill out speaker cards if they wish to speak, reinforcing the impression that they are required to do so. *(5:17 – 5:18)*

Member Knee, seconded by Member Manneh, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

16. **File No. 12002:** Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly routinely asking members of the public to fill out speaker cards if they wish to speak, reinforcing the impression that they are required to do so. *(5:18 – 5:42)*

Complainant Peter Warfield, Executive Director, Library Users Association, provided an overview of the complaint and requested the Task Force to find violation. No speakers offered facts and evidence in support of complainant. Respondent Kate Patterson, Public Relations Director, Arts Commission, provided an overview of the Agency's defense and requested the Task Force to dismiss the complaint. No speakers offered facts and evidence in support of respondent. A question and answer period followed. Respondent provided a rebuttal and again requested the Task Force dismiss the complaint. Complainant provided a rebuttal and again requested the Task Force find violation.

Respondent provided documentation demonstrating the Arts Commission has revised the language on its speaker cards to notify members of the public they are not required to submit speaker cards in order to speak at meetings.

Due to lack of a motion, the Task Force FOUND NO VIOLATION. MATTER IS CONCLUDED.

17. **File No. 12003:** Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly not allowing provisions for general public comment about the Bernal Heights Branch Library's historic multi-cultural Victor Jara Mural destruction and replacement. *(5:43 – 5:44)*

Member Knee, seconded by Member Washburn, moved to CONTINUE the matter to the regular meeting of April 4, 2012.

There were no speakers. **The motion PASSED without objection.**

18. **File No. 12003:** Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly not allowing provisions for general public comment about the Bernal Heights Branch Library's historic multi-cultural Victor Jara Mural destruction and replacement. *(5:43 – 5:44)*

Member Knee, seconded by Member Washburn, moved to CONTINUE the matter to the regular meeting of April 4, 2012.

There were no speakers. **The motion PASSED without objection.**

19. **General Public Comment:** *(00:10:07 – 00:24:32 and 1:27:07 – 1:30:53)*

A member of the public expressed concerns about the Library Commission splitting off 150-word comment summaries from their minutes. Patrick Monette-Shaw expressed concerns about his complaint pending at the Ethics Commission. Peter Warfield, Executive Director, Library Users Association, thanked the Task Force for changing the Task Force meeting day to Wednesday, and expressed concerns about the Library. Jason Grant Garza expressed concerns about what he termed lack of progress in handling complaints he has filed. Thomas Picarello expressed concerns about Jason Grant Garza's complaints, and suggested that Task Force meetings commence at 5:00 p.m. Ray Hartz, Jr. expressed various concerns.

20. **Administrator's Report** *(5:44 – 5:45)*

The Administrator's Report was reviewed.

Public comment: Peter Warfield suggested that more information be listed in the compliant log.

21. **Announcements, Comments, Questions, and Future Agenda Items** *(5:45 – 5:46)*

There were none.

22. **ADJOURNMENT** *(5:46 – 5:47)*

Member Knee, seconded by Member Manneh, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Task Force adjourned at 11:00 p.m.

APPROVED: October 1, 2014

Victor Young
Administrator
Sunshine Ordinance Task Force

N.B. The Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

03-30-12A08:32 RC

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT

MAR 30 2012

SAN FRANCISCO
PUBLIC LIBRARY

April 4, 2012 – 4:00 PM

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	David Snyder	Seat 8	Bruce Wolfe (Vice Chair)
Seat 2	Richard Knee	Seat 9	Hanley Chan
Seat 3	Sue Cauthen	Seat 10	Hope Johnson (Chair)
Seat 4	Suzanne Manneh	Seat 11	Jackson West
Seat 5	Allyson Washburn		
Seat 6	(Vacant)	Ex-officio	(Vacant)
Seat 7	Jay Costa	Ex-officio	(Vacant)

2. **Approval of Minutes from the February 28, 2012 Regular Meeting.** (Action) *(attachment) (approximately 10 minutes)*

3. **Approval of Minutes from the March 7, 2012 Regular Meeting.** (Action) *(attachment) (approximately 10 minutes)*

4. Survey of Costs of Compliance with Sunshine Ordinance. (Discussion and Action) *(attachment) (approximately 15 minutes)*

5. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission. *(approximately 15 minutes) (Discussion and Action)*

6. **File No. 11087:** The Compliance and Amendments Committee has referred File No. 11087, Lars Nyman against Frank Lee, Department of Public Works, back to the Task Force for further action including a recommendation to the District Attorney or Board of Supervisors. *(approximately 15 minutes) (Discussion and Action)*

7. **File No. 11084:** Hearing on determination of reconsideration of File No. 11084 Complaint filed by Library Users Association against the Arts Commission for not providing an audio recording of a meeting. *(approximately 15 minutes) (Discussion and Action)*

8. **File No. 11089:** Complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents.

   (a) Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 30 minutes)* (Discussion and Action)

9. **File No. 11091:** Complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request.

   (a) Determination of jurisdiction on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request. *(approximately 30 minutes) (Discussion and Action)*

10. **File No. 11095:** complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents.

    (a) Determination of jurisdiction on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents. *(approximately 30 minutes) (Discussion and Action)*

11. **File No. 11096:** Complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents and delayed response.

    (a) Determination of jurisdiction on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents and delayed response. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents and delayed response. *(approximately 30 minutes) (Discussion and Action)*

12. **File No. 11097:** Complaint filed by Charles Pitts against the Police Department for allegedly not providing requested information.

    (a) Determination of jurisdiction on complaint filed by Charles Pitts against the Police Department for allegedly not providing requested information. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Charles Pitts against the Police Department for allegedly not providing requested information. *(approximately 30 minutes) (Discussion and Action)*

13. **File No. 11098:** Complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. *(This item must be reheard to include the respondent's response)*

    (a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. *(approximately 30 minutes) (Discussion and Action)*

14. **File No. 11099:** Complaint filed by Jason Grant Garza against the Department of Public Health for allegedly not providing requested information.

    (a) Determination of jurisdiction on complaint filed by Jason Grant Garza against the Department of Public Health for allegedly not providing requested information. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Jason Grant Garza against the Department of Public Health for allegedly not providing requested information. *(approximately 30 minutes) (Discussion and Action)*

15. **File No. 12003:** Complaint filed by the Library Users Association against the Arts Commission for allegedly not allowing provisions for general public comment about the Bernal Heights Branch Library Mural.

    (a) Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly not allowing provisions for general public comment about the Bernal Heights Branch Library Mural. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly not allowing provisions for general public comment about the Bernal Heights Branch Library Mural. *(approximately 30 minutes) (Discussion and Action)*

16. **File No. 12004:** Complaint filed by the Library Users Association against the Arts Commission for allegedly restricting appointments to one hour, in the middle of the afternoon to listen to recordings of meetings referring to the Bernal Heights Branch Library Mural.

    (a) Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly restricting appointments to one hour, in the middle of the afternoon to listen to recordings of meetings referring to the Bernal Heights Branch Library Mural. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly restricting appointments to one hour, in the middle of the afternoon to listen to recordings of meetings referring to the Bernal Heights Branch Library Mural. *(approximately 30 minutes) (Discussion and Action)*

17. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.

    (a) Determination of jurisdiction on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 30 minutes) (Discussion and Action)*

18. **File No. 12006:** Complaint filed by Ray Hartz, Jr. against Angela Calvillo, Clerk of the Board for allegedly failing to perform administrative duties for the Sunshine Ordinance Task Force as required pursuant to the Sunshine Ordinance.

    (a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Angela Calvillo, Clerk of the Board for allegedly failing to perform administrative duties for the Sunshine Ordinance Task Force as required pursuant to the Sunshine Ordinance. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Ray Hartz, Jr. against Angela Calvillo, Clerk of the Board for allegedly failing to perform administrative duties for the Sunshine Ordinance Task Force as required pursuant to the Sunshine Ordinance. *(approximately 30 minutes) (Discussion and Action)*

19. **File No. 12007:** Complaint filed by the Library Users Association against Supervisor Campos for allegedly responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.

(a) Determination of jurisdiction on complaint filed by the Library Users Association against Supervisor Campos for allegedly responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.
(approximately 5 minutes) (Discussion and Action)

(b) Hearing on complaint filed by the Library Users Association against Supervisor Campos for allegedly responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.
(approximately 30 minutes) (Discussion and Action)

20. **File No. 12008:** Complaint filed by Allen Grossman against Scott Minty, Information Systems Administrator, City Attorney's Office for allegedly failing to respond to records request.

(a) Determination of jurisdiction on complaint filed by Allen Grossman against Scott Minty, Information Systems Administrator, City Attorney's Office for allegedly failing to respond to records request. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed Allen Grossman against Scott Minty, Information Systems Administrator, City Attorney's Office for allegedly failing to respond to records request. *(approximately 30 minutes) (Discussion and Action)*

21. **File No. 12009:** Complaint filed by Allen Grossman against Marisa Moret, Managing Attorney, City Attorney's Office for allegedly failing to respond to records request.

(a) Determination of jurisdiction on complaint filed by Allen Grossman against Marisa Moret, Managing Attorney, City Attorney's Office for allegedly failing to respond to records request. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed Allen Grossman against Marisa Moret, Managing Attorney, City Attorney's Office for allegedly failing to respond to records request. *(approximately 30 minutes) (Discussion and Action)*

22. **File No. 12010:** Complaint filed by Allen Grossman against Susana Martinez, Chief Financial Officer, City Attorney's Office for allegedly failing to respond to records request.

(a) Determination of jurisdiction on complaint filed by Allen Grossman against Susana Martinez, Chief Financial Officer, City Attorney's Office for allegedly failing to respond to records request. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed Allen Grossman against Susana Martinez, Chief Financial Officer, City Attorney's Office for allegedly failing to respond to records request. *(approximately 30 minutes) (Discussion and Action)*

23. Permanent designation of Seat No. 2 as the Bruce Brugmann Seat. (Discussion and Action.) *(approximately 5 minutes)*

24. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

25. **Report: Compliance and Amendments meeting of March 20, 2012**. (Discussion and Action) *(approximately 5 minutes)*

26. **Administrator's Report.** (Discussion and Action) *(approximately 5 minutes)*

27. **Announcements, Comments, Questions, and Future Agenda Items** (No Action)

28. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these document, please contact SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing:. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at

Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 37 of the San Francisco Administrative Code on the Internet , at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT

MAY 24 2016

SAN FRANCISCO
PUBLIC LIBRARY

April 4, 2012 – 4:00 PM

Regular Meeting

Members: Chair Hope Johnson, Bruce Wolfe (Vice-Chair)
David Snyder, Richard Knee, Sue Cauthen, Suzanne Manneh,
Allyson Washburn, Jay Costa, Hanley Chan, Jackson West

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES** (00.00.00 - 00.25:07)

The meeting was called to order at 4:03 p.m. Members Snyder, Cauthen, Manneh, and Costa were noted absent. There was a quorum. Member Manneh was noted present at 4:08 p.m. Member Jay Costa was noted present at 4:16 p.m.

Member Knee, seconded by Chair Wolfe, moved to EXCUSE Member Snyder.

Speakers: Jason Grant Garza spoke expressing objection to the motion to excuse the Member.

The motion PASSED by the following vote:
Ayes: 7 – Chan, Costa, Knee, Manneh, Washburn, West, Wolfe
Noes: 1 – Johnson
Excused: 1 – Snyder
Absent: 1 – Cauthen

Chair Johnson indicated a request that File No. 11083 – Ray Hartz, Jr. v the Public Library (Item 5) be continued by the Complainant. Chair Johnson announced that File Nos. 11095 and 11096 - Arnita Bowman v Department of Parks and Recreation (Items 10 and 11) were withdrawn by the Complainant. Chair Johnson indicated a request that File No. 11097 - Charles Pitts v the Police Department (Item 12) be continued by the Complainant. Chair Johnson announced the File No. 11098 - Ray Hartz, Jr. v Luis Herrera, City Librarian (Item 13) was tabled due to receipt of Respondent's response prior to March 7, 2012 meeting. Chair Johnson indicated a request that File No. 11099 – Jason Grant Garza v Department of Public Health (Item 14) be continued by the Respondent. Chair Johnson indicated a request that File No. 12005 – Anonymous v Municipal Transportation (Item 17) be continued by the Respondent. Chair Johnson indicated a request that File No. 12006 - Ray Hartz, Jr. v Angela Calvillo, Clerk of the Board (Item 18), was withdrawn by the Complainant.

2. **Approval of Minutes from the February 28, 2012, Regular Meeting.** (00:25:08 - 00:42:43)

   Member Wolfe, seconded by Member Knee, moved to CONTINUE to May 2, 2012.

   Speakers: Thomas Picarello spoke requesting additional copies of the agenda packets and minutes for the public. Peter Warfield spoke expressing support of the continuance of the item. Ray Hartz, Jr. spoke requesting more detailed minutes of speakers. Jason Grant Garza spoke requesting more detailed minutes of the speakers. David Pilpel spoke requesting that the minutes are heard at the end of the agenda.

   The motion PASSED without objection.

3. **Approval of Minutes from the March 7, 2012, Regular Meeting.** (00:42:44 - 00:51:37)

   Member Washburn, seconded by Member Knee, moved to CONTINUE to May 2, 2012.

   Speakers: Jason Grant Garza spoke requesting more detailed minutes of the speakers. Peter Warfield spoke regarding the lack of detail in the minutes. Ray Hartz, Jr. spoke expressing concern of the Task Force not taking a stand on having detailed minutes.

   The motion PASSED without objection.

4. Survey of Costs of Compliance with Sunshine Ordinance. *(1.33.27 – 2.11.10)*

   Chair Johnson presented Reponses of Survey of Costs of Compliance

   Chair Johnson provided an overview of the responses regarding the survey of costs of compliance with the City Sunshine Ordinance. Vice Chair Wolfe commented on whether the survey attacked the SOTF or the Sunshine Ordinance and lack of staff provided for SOTF should be included. Member Washburn commented regarding the data collected and produced and volunteered to extract the most egregious data. Member Costa supported Member Washburn's comments.

   Member Wolfe, seconded by Member Knee, moved to TABLE the item to be heard by 10:00 p.m. or before the Administrator's Report.

   Speakers: Jason Grant Garza spoke in opposition to tabling the item. Thomas Picarello spoke in opposition to tabling the item. Peter Warfield spoke expressing opposition to tabling the item.

   The motion PASSED without objection.

   Member Washburn, seconded by Member Knee, moved to CONTINUE the item to May 2, 2012.

The motion PASSED without objection.

5. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission. (00.03.00 - 00.03.55)

Chair Johnson indicated a request that File No. 11083 be continued by the Complainant.

Member Knee, seconded by Vice Chair Wolfe, moved to CONTINUE TO THE CALL OF THE CHAIR.

There were no speakers. **The motion PASSED without objection.**

Recess 6:32 – 6:40

6. **File No. 11087:** The Compliance and Amendments Committee has referred File No. 11087, Lars Nyman against Frank Lee, Department of Public Works, back to the Task Force for further action including a recommendation to the District Attorney or Board of Supervisors. *(2.11.10 - 3.10.32)*

Chair Johnson provided a recap of the prior proceedings. Lars Nyman (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. There was no Respondent present. There were no speakers in support of the Respondent. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find further violations.

Member Washburn, seconded by Member Knee, moved to REFER TO BOARD OF SUPERVISORS , COPY THE MAYOR and the CONTROLLER'S OFFICE and referral to the Ethics Commission and find Mr. Lee in violation of 67.21(e) based on his failure to appear before the Task Force.

Speakers: Jason Grant Garza spoke expressed concern that the Ethics Commission will not act on referral. Allen Grossman said that the Custodian should be present before the Task Force and not Frank Lee. Thomas Picarello stated that the Task Force has failed the Complainant due not naming an individual as the Respondent. Peter Warfield spoke expressing concern of bad behavior of Respondent.

The motion PASSED by the following vote:

Ayes: 7 – Chan, Costa, Knee, Manneh, Washburn, West, Vice Chair Wolfe, Chair Johnson
Absent: 0
Excused: 2 - Snyder, Cauthen

7. **File No. 11084:** Hearing on determination of reconsideration of File No. 11084 Complaint filed by Library Users Association against the Arts Commission for not providing an audio recording of a meeting. (3:10:42 - 3:35:00)

Chair Johnson provided a recap of the prior proceedings and stated the reconsideration is due to the Section stated previously does not apply to the Visual Arts Commission, because the Commission does not meet in City Hall. Peter Warfield (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. Julio Mantos, Arts Commission, provided an overview of the Agency's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find further violations. Respondent waived his right to rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Johnson, seconded by Member Knee, moved to rehear the complaint on May 2, 2012.

Speakers: Jason Grant Garza expressed support for the rehearing. Allen Grossman expressed concern regarding another option other than to rehear the item.

The motion PASSED by the following vote:
Ayes: 7 – Costa, Knee, Manneh, Washburn, West, Vice Chair Wolfe, Chair Johnson
Absent: 1 - Chan
Excused: 2 - Snyder, Cauthen

8. **File No. 11089:** Complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. (3:35:00 - 03:48:04)

Member Wolfe, seconded by Member Manneh, moved to CONTINUE TO THE CALL OF THE CHAIR.

There were no speakers. **The motion PASSED without objection.**

Speakers: Thomas Picarello objected to continuation. Jason Grant Garza objected to continuation.

The motion PASSED by the following vote:
Ayes: 7 – Costa, Knee, Manneh, Washburn, West, Vice Chair Wolfe, Chair Johnson
Absent: 1 - Chan
Excused: 2 - Snyder, Cauthen

9. **File No. 11091:** Complaint filed by Nick Pasquariello against the Office of Supervisor David Chiu for allegedly not responding to an Immediate Disclosure Request. (03:48:05 - 04:12:03)

   Member Washburn, seconded by Member Manneh, moved to dismiss the complaint with the option to re-file.

   The motion PASSED by the following vote:
   Ayes: 7 – Costa, Knee, Manneh, Washburn, West, Vice Chair Wolfe, Chair Johnson
   Absent: 1 - Chan
   Excused: 2 - Snyder, Cauthen

10. **File No. 11095:** Complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents. (00:04:07 - 00:04:48)

    Chair Johnson indicated the File No. 11095 was withdrawn by the Complainant.

    TABLED BY OPERATION OF LAW.

11. **File No. 11096:** Complaint filed by Arnita Bowman against the Department of Parks and Recreation for allegedly not providing requested documents and delayed response. (00:04:07 - 00:04:48)

    Chair Johnson indicated the File No. 11096 was withdrawn by the Complainant.

    TABLED BY OPERATION OF LAW.

12. **File No. 11097:** Complaint filed by Charles Pitts against the Police Department for allegedly not providing requested information. (00:05:48 - 00:11:16)

    Chair Johnson indicated a request that File No. 11097 be continued by the Complainant.

    Member Washburn, seconded by Member Wolfe, moved to close the complaint with the option to re-file.

    Speakers: Jason Grant Garza spoke expressing objection to closing the complaint. Thomas Picarello spoke expressing objection to closing the complaint. Peter Warfield spoke expressing objection to closing the complaint.

    The motion PASSED by the following vote:
    Ayes: 8 – Chan, Costa, Knee, Manneh, Washburn, West, Vice Chair Wolfe, Chair Johnson
    Excused: 1 – Snyder
    Absent: 1 – Cauthen

13. **File No. 11098:** Complaint filed by Ray Hartz, Jr. against Luis Herrera, City Librarian for allegedly not including a brief written summary of comments into the minutes. (00:11:17 - 00:15:59)

    Chair Johnson announced that File No. 11098 be tabled due to receipt of Respondent's response prior to March 7, 2012 meeting.

    Member Knee, seconded by Member Wolfe, moved to TABLE the item upholding the original Order of Determination.

    There were no speakers. **The motion PASSED without objection.**

14. **File No. 11099:** Complaint filed by Jason Grant Garza against the Department of Public Health for allegedly not providing requested information. (16:00 - 00:20:45)

    Chair Johnson indicated that File No. 11099 be continued by the Respondent.

    Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

    Jason Grant Garza (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. There was no Respondent present. There were no speakers in support of the Respondent. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find further violations. The Respondent was not present for rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

    Member Knee, seconded by Member Manneh, moved to CONTINUE to May 2, 2012, send a notice to both parties to appear, and find violation of Sunshine Ordinance Section 67.21(e) based on Barbara Garcia (Respondent) failing to appear.

    The motion PASSED by the following vote:
    Ayes: 7 – Costa, Knee, Manneh, Washburn, West, Vice Chair Wolfe, Chair Johnson
    Absent: 1 - Chan
    Excused: 2 - Snyder, Cauthen

15. **File No. 12003:** Complaint filed by the Library Users Association against the Arts Commission for allegedly not allowing provisions for general public comment about the Bernal Heights Branch Library Mural. (4.33.35 - 05:11:48)

    Member Knee, seconded by Member Manneh, moved to find jurisdiction.

    There were no speakers. **The motion PASSED without objection.**

Peter Warfield (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. Julio Mantos, Respondent, Arts Commission, provided an overview of the Agency's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent waived his right to rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Knee, seconded by Vice Chair Wolfe, moved to find the Visual Arts Committee in violation of Sunshine Ordinance Sections 67.15 based on failure to provide public testimony, 67.21(e) based on failure to send a knowledgeable representative, Brown Act 54954.3 based on failure to provide general comment; referral to Education Outreach and Training Committee. Require the Visual Arts Committee members to take training on public comment.

The motion PASSED by the following vote:

Ayes: 7 – Costa, Knee, Manneh, Washburn, West, Vice Chair Wolfe, Chair Johnson
Absent: 1 - Chan
Excused: 2 - Snyder, Cauthen

Recess 9:20pm – 9:25 pm

16. **File No. 12004:** Complaint filed by the Library Users Association against the Arts Commission for allegedly restricting appointments to one hour, in the middle of the afternoon to listen to recordings of meetings referring to the Bernal Heights Branch Library Mural. (5:11:48 - 05:32:11)

Member Knee, seconded by Member Manneh, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

Peter Warfield (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. Julio Mantos, Respondent, Arts Commission, provided an overview of the Agency's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent waived his right to rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Knee, seconded by Member Washburn, moved to find Sharon Richie, Secretary, Arts Commission, the Arts Commission and Visual Arts Committee in violation of Sunshine Ordinance Sections 67.14 based on providing an audio recording of a meeting, 67.21(a) based on requiring an appointment to inspect a public record, 67.21 (e) based on failure to send a knowledgeable representative; and California Public Records Act 62.53 for restricting the time of listening access; and referral to Education Outreach and Training Committee.

The motion PASSED by the following vote:
Ayes: 7 – Costa, Knee, Manneh, Washburn, West, Chair Johnson
Absent: 2 - Chan, Vice Chair Wolfe
Excused: 2 - Snyder, Cauthen

17. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. (00:20:45 - 00:23:58)

Chair Johnson indicated a request that File No. 12005 be continued by the Respondent

By unanimous consent the item was CONTINUED to May 2, 2012

There were no speakers. **The motion PASSED without objection.**

18. **File No. 12006:** Complaint filed by Ray Hartz, Jr. against Angela Calvillo, Clerk of the Board for allegedly failing to perform administrative duties for the Sunshine Ordinance Task Force as required pursuant to the Sunshine Ordinance. (00:23:59 - 00:25:27)

TABLED BY OPERATION OF LAW.

19. **File No. 12007:** Complaint filed by the Library Users Association against Supervisor Campos for allegedly responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.(0534.15 - 06:50:54)

Member Knee, seconded by Member Washburn, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

Peter Warfield (Complainant) provided an overview of the complaint and further requested the Task Force to find violation. There were no speakers in support of the Complainant. Hillary Ronen (Respondent), Supervisor Campos' Office, provided an overview of the Supervisor's Office defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Knee, seconded by Member Manneh, moved to find Supervisor David Campos in violation of Sunshine Ordinance Sections 67.25 (a) based on failure to respond to the Immediate Disclosure Request in a timely matter, 67.26 based on failure to keep withholding to a minimum by redacting the contact information; and referral to Compliance and Amendments Committee.

The motion PASSED by the following vote:
Ayes: 7 – Costa, Knee, Manneh, Washburn, West, Chair Johnson
Absent: 2 - Chan , Vice Chair Wolfe
Excused: 2 - Snyder, Cauthen

20. **File No. 12008:** Complaint filed by Allen Grossman against Scott Minty, Information Systems Administrator, City Attorney's Office for allegedly failing to respond to records request. (06:11:04 - 06:45:12)

Allen Grossman (Complainant) requested that File Nos. 12008, 12009, and 12010 be considered as a combined file.

Member Knee, seconded by Member Manneh, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

Allen Grossman (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. There was no Respondent present. There were no speakers in support of the Respondent. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find further violations. The Respondent was not present for rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Washburn, seconded by Member Knee, moved to find Scott Minty, Marisa Moret, and Susana Martinez, City Attorney's Office, in violation of Sunshine Ordinance Sections 67.21(b) based on the Custodian of Records failure to comply with the public records request, 67.21(e) based on failure to appear before the Task Force for the hearing, 67.26 based on failure to keep withholding to a minimum, 67.27 based on failure to justify a reason, and referral to Compliance and Amendments Committee.

Speaker: Peter Warfield spoke in support of motion.

The motion PASSED by the following vote:
Ayes: 7 – Costa, Knee, Manneh, Washburn, Chair Johnson
Noes: 1 - West
Absent: 2 - Chan, Vice Chair Wolfe
Excused: 2 - Snyder, Cauthen

21. **File No. 12009:** Complaint filed by Allen Grossman against Marisa Moret, Managing Attorney, City Attorney's Office for allegedly failing to respond to records request.

Allen Grossman (Complainant) requested that File Nos. 12008, 12009, and 12010 be considered as a combined file.

Member Knee, seconded by Member Manneh, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

Allen Grossman (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. There was no Respondent present. There were no speakers in support of the Respondent. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find further violations. The Respondent was not present for rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Washburn, seconded by Member Knee, moved to find Scott Minty, Marisa Moret, and Susana Martinez, City Attorney's Office, in violation of Sunshine Ordinance Sections 67.21(b) based on the Custodian of Records failure to comply with the public records request, 67.21(e) based on failure to appear before the Task Force for the hearing, 67.26 based on failure to keep withholding to a minimum, 67.27 based on failure to justify a reason, and referral to Compliance and Amendments Committee.

Speaker: Peter Warfield spoke in support of motion.

The motion PASSED by the following vote:
Ayes: 7 – Costa, Knee, Manneh, Washburn, Chair Johnson
Noes: 1 - West
Absent: 2 - Chan, Vice Chair Wolfe
Excused: 2 - Snyder, Cauthen

22. **File No. 12010:** Complaint filed by Allen Grossman against Susana Martinez, Chief Financial Officer, City Attorney's Office for allegedly failing to respond to records request.

Allen Grossman (Complainant) requested that File Nos. 12008, 12009, and 12010 be considered as a combined file.

Member Knee, seconded by Member Manneh, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

Allen Grossman (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. There was no Respondent present. There were no speakers in support of the Respondent. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find further violations. The Respondent was not present for rebuttal. Complainant waived rebuttal.

Member Washburn, seconded by Member Knee, moved to find Scott Minty, Marisa Moret, and Susana Martinez, City Attorney's Office in violation of Sunshine Ordinance Sections 67.21(b) based on the Custodian of Records failure to comply with the public records request, 67.21(e) based on failure to appear before the Task

Force for the hearing, 67.26 based on failure to keep withholding to a minimum, 67.27 based on failure to justify a reason, and referral to Compliance and Amendments Committee.

Speaker: Peter Warfield spoke in support of motion.

The motion PASSED by the following vote:
Ayes: 7 – Costa, Knee, Manneh, Washburn, Chair Johnson
Noes: 1 - West
Absent: 2 - Chan, Vice Chair Wolfe
Excused: 2 - Snyder, Cauthen

23. Permanent designation of Seat No. 2 as the Bruce Brugmann Seat. (Discussion and Action. *(1.11.33 – 1.33.27)*

Member Knee, seconded by Member Washburn, moved to name Seat No. 2 the Bruce Brugmann Seat pending completion of legal requirements.

Speaker: Jason Grant Garza spoke expressing objection to naming the seat after Bruce Brugmann. Thomas Picarello requested the item be continued to the future incoming Task Force Members.

There were no speakers. **The motion PASSED without objection.**

24. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (51.47 – 1.11.33)

Speakers: Ray Hartz spoke expressing praise of SOTF. Jason Grant Garza spoke expressing concern about the Chair not replying to correspondence and him not having access to medical records. Thomas Picarello spoke expressing concern regarding Respondents not being available after 5:00p.m. to present their responses in complaint cases and requested to have SOTF meetings televised. Peter Warfield spoke inquiring which members of the SOTF will reapply. Ace spoke expressing clarity in the time allowed for speakers to speak. Allen Grossman spoke announcing the Joint Ethic Commission SOTF Committee meeting. Male Speaker spoke expressing anonymous' right to remain anonymous.

25. **Report: Compliance and Amendments meeting of March 20, 2012**.

In the interest of time, the report was not heard.

26. **Administrator's Report.**

In the interest of time, the report was not heard.

27. **Announcements, Comments, Questions, and Future Agenda Items.**

There were none.

28. **ADJOURNMENT**

There being no further business, the Task Force adjourned at the hour of 11:17 p.m.

APPROVED: October 1, 2014

Victor Young
Administrator
Sunshine Ordinance Task Force

N.B. The Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT
APR 26 2012
SAN FRANCISCO
PUBLIC LIBRARY

May 2, 2012 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	(Vacant)	Seat 8	Bruce Wolfe (Vice Chair)
Seat 2	Richard Knee	Seat 9	Hanley Chan
Seat 3	Sue Cauthen	Seat 10	Hope Johnson (Chair)
Seat 4	Suzanne Manneh	Seat 11	Jackson West
Seat 5	Allyson Washburn		
Seat 6	(Vacant)	Ex-officio	(Vacant)
Seat 7	Jay Costa	Ex-officio	(Vacant)

2. Supervisor of Records Report - Presented by Paula Jesson, Deputy City Attorney. *(Discussion and Action) (attachment) (approximately 15 minutes)*

3. Resolution to support SB1001 to protect California's political disclosure database, Cal-Access. *(Discussion and Action) (attachment) (approximately 15 minutes)*

4. Resolution to support SB1003 to provide injunctive and declaratory relief on past actions by local agencies under the Ralph M. Brown Open Meetings Act. *(Discussion and Action) (attachment) (approximately 15 minutes)*

5. Survey of Costs of Compliance with Sunshine Ordinance. *(Discussion and Action) (attachment) (approximately 15 minutes)*

6. Motion to schedule a Special Meeting in July 2012, due to Regular Meeting convening on July 4, 2012, a holiday. (Discussion and Action) *(approximately 15 minutes)*

7. **File No. 11084:** Reconsideration of File No. 11084 Complaint filed by Library Users Association against the Arts Commission for not providing an audio recording of a meeting. *(approximately 15 minutes) (Discussion and Action)*

8. **File No. 11099:** Hearing on complaint filed by Jason Grant Garza against the Department of Public Health for allegedly not providing requested information. *(approximately 30 minutes) (Discussion and Action)*

9. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.

   (a) Determination of jurisdiction on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 30 minutes) (Discussion and Action)*

10. **File No. 12011:** Complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly not providing requested records regarding the Montgomery - Alta Street Tree Project.

    (a) Determination of jurisdiction on complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly not providing requested records regarding the Montgomery - Alta Street Tree Project. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly not providing requested records regarding the Montgomery - Alta Street Tree Project. *(approximately 30 minutes) (Discussion and Action)*

11. **File No. 12012:** Complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly not providing requested records and delayed response.

    (a) Determination of jurisdiction on complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly not providing requested records and delayed response. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly not providing requested records and delayed response. *(approximately 30 minutes) (Discussion and Action)*

12. **File No. 12013:** Complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

    (a) Determination of jurisdiction on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the

Street Artist Program for FY 2010-2011. *(approximately 30 minutes) (Discussion and Action)*

13. **File No. 12014:** Complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget.

    (a) Determination of jurisdiction on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(approximately 30 minutes) (Discussion and Action)*

14. **File No. 12015:** Compliant filed by William Clark against Ben Rosenfield, Controller, Controller's Office for allegedly not providing documents regarding the authorization of expenditures by the Street Artist Program.

    (a) Determination of jurisdiction on complaint filed by William Clark against Ben Rosenfield, Controller, Controller's Office for allegedly not providing documents regarding the authorization of expenditures by the Street Artist Program. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by William Clark against Ben Rosenfield, Controller, Controller's Office for allegedly not providing documents regarding the authorization of expenditures by the Street Artist Program. *(approximately 30 minutes) (Discussion and Action)*

15. **File No. 12016:** Complaint filed by Michael Petrelis against Castro Community Benefit District for allegedly not providing proper public notice of the agenda and accurate minutes.

    (a) Determination of jurisdiction on complaint filed by Michael Petrelis against Castro Community Benefit District for allegedly not providing proper public notice of the agenda and accurate minutes. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Michael Petrelis against Castro Community Benefit District for allegedly not providing proper public notice of the agenda and accurate minutes. *(approximately 30 minutes) (Discussion and Action)*

16. **Approval of Minutes from the April 4, 2012, Regular Meeting.** (Action) *(attachment) (approximately 10 minutes)*

17. **Approval of Minutes from the October 25, 2011, Regular Meeting.** (Action) *(attachment) (approximately 10 minutes)*

18. **Approval of Minutes from the November 29, 2011, Special Meeting.** (Action) *(attachment) (approximately 10 minutes)*

19. **Approval of Minutes from the January 3, 2012, Special Meeting.** (Action) *(attachment) (approximately 10 minutes)*

20. **Approval of Minutes from the January 24, 2012, Special Meeting.** (Action) *(attachment) (approximately 10 minutes)*

21. **Approval of Minutes from the February 28, 2012, Regular Meeting.** (Action) *(attachment) (approximately 10 minutes)*

22. **Approval of Minutes from the March 7, 2012, Regular Meeting.** (Action) *(attachment) (approximately 10 minutes)*

23. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

24. **Report: Compliance and Amendments meeting of March 20, 2012.** (Discussion and Action) *(approximately 5 minutes)*

25. **Administrator's Report.** (Discussion and Action) *(approximately 5 minutes)*

26. **Announcements, Comments, Questions, and Future Agenda Items.** (No Action)

27. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as this document, please contact SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at

Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 37 of the San Francisco Administrative Code on the Internet , at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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May 2, 2012 – 4:00 PM

Regular Meeting

Members: Hope Johnson (Chair), Bruce Wolfe (Vice-Chair), Richard Knee, Suzanne Manneh, Allyson Washburn, Jay Costa, Hanley Chan, Jackson West, David Snyder, Sue Cauthen

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES** (00:00:00 - 00:07:43)

The meeting was called to order at 4:33 p.m. Members Snyder, Cauthen, Manneh, and Chan were noted absent. There was a quorum. Member Manneh was noted present at 5:38 p.m.

Chair Johnson appointed Vice Chair Wolfe to preside over the May 2, 2012 regular meeting.

Speakers: There were no speakers.

2. **Supervisor of Records Report - Presented by Paula Jesson, Deputy City Attorney.** (00:07:43 - 00:23:01)

Paula Jesson, Deputy City Attorney, presented information concerning the Supervisor of Records Report and answered questions raised.

Speakers: Patrick Monette-Shaw expressed concern with the Supervisor of Records report (see addendum); Peter Warfield expressed objection with the report; Ray Hartz expressed concern with the Supervisor of Records not being in compliance to respond to complaints; David Pilpel expressed support for the report.

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by the Sunshine Ordinance Task Force.

Patrick Monette-Shaw submitted the following additional information for Public Comment as follows:

Agenda Item #2: Supervisor of Records Report by Paula Jesson (150 words)
I'm concerned by the presentation Deputy City Attorney Paul Jesson just delivered as the City Attorney's Supervisor of Records.

Her report claims that in 2011, the Supervisor of Records was only asked nine times to determine whether records requested actually involved "public records." The City Attorney's Office claimed in response to the Board of Supervisors Budget and Legislative Analyst, Harvey Rose's "Costs of Compliance with the Sunshine Ordinance" inquiry, that it had spent $51,949 on the Supervisor of Records. At just nine inquiries during 2011, this averages $5,775 per each inquiry, inflating costs directly attributable to costs of Sunshine, vs. costs due to CPRA.

Jesson claimed regarding records inquiry #7, that City Attorney Dennis Herrera's *Good Government Guide* asserts retrieval of records from backup tapes is analogous to getting lawfully-discarded records out of a City dumpster, which proves Herrera's *Good Government Guide* isn't worth the toilet paper it's written on.

3. **Resolution to support SB1001 to protect California's political disclosure database, Cal-Access.** (00:43:05 - 00:56:55)

Emily Salgado, Office of Senator Leland Yee, presented and answered questions raised.

Member Washburn, seconded by Member Johnson, moved to write a letter of support for the Senate Bill 1001.

Speakers: Patrick Monette-Shaw spoke in support of the Sunshine Ordinance Task Force supporting Senate Bill 1001.

The motion PASSED by the following vote:
Ayes: 6 - Costa, Knee, Washburn, West, Johnson, Wolfe
Absent: 4 - Chan, Manneh, Snyder, Cauthen

4. **Resolution to support SB1003 to provide injunctive and declaratory relief on past actions by local agencies under the Ralph M. Brown Open Meetings Act.** (00:56:56 - 01:13:10)

Emily Salgado, Office of Senator Leland Yee, presented and answered questions raised.

Member Knee, seconded by Member Costa, moved to write a letter of support for the Senate Bill 1003.

Speakers: Paul Currier spoke in support of the Sunshine Ordinance Task Force supporting Senate Bill 1001; Jason Grant Garza spoke expressing objection with Senate Bill 1003; Pastor Gavin spoke in support of closing the loopholes of the Brown Act; Doug Comstock spoke in support of Senate Bill 1003; Peter Warfield spoke in support of not having a statute of limitations.

The motion PASSED by the following vote:
Ayes: 7 - Costa, Knee, Manneh, Washburn, West, Johnson, Wolfe
Absent: 3 - Chan, Snyder, Cauthen

5. **Survey of Costs of Compliance with Sunshine Ordinance.** (01:13:10 - 01:57:12)

Member Knee presented the item. Member Washburn expressed that according to the report the Sunshine Ordinance Task Force does not cost the City an exorbitant amount of money. Chair Johnson said Supervisor Wiener did not respond to her request to meet and that although the Board of Supervisors expresses their willingness to work in partnership with the Sunshine

Ordinance Task Force (SOTF) the SOTF was not contacted and was excluded from the survey process. Member Knee expressed that SOTF saves money in comparison to City overtime.

Speakers: Patrick Monette-Shaw spoke in support of Member Knee's comments; Michael Petrelis spoke in support of Supervisor Wiener speaking to the SOTF regarding survey; Paul Currier spoke in support of a special meeting regarding the survey and that Supervisor Wiener should be required to attend; Pastor Gavin spoke expressing that Supervisor Wiener should speak before the SOTF and support of a special meeting regarding the survey; Jason Grant Garza spoke expressing the authority or lack thereof that the SOTF possesses; Doug Comstock spoke expressing that Supervisor Wiener should be censured; Peter Warfield spoke expressing the cost of the violators of the Sunshine Ordinance and consultation with City attorneys; Derek Kerr spoke expressing disappointment with Supervisor Wiener for not responding to the SOTF.

No Action Taken

6. **Motion to schedule a Special Meeting in July 2012, due to Regular Meeting convening on July 4, 2012, a holiday**. (01:57:13 - 01:59:22)

Member Washburn, seconded by Member Johnson, moved to schedule a special meeting on July 11, 2012, depending on meeting room availability.

Speakers: David Pilpel spoke in support of waiting until new members are seated to make the vote to reschedule the regular July meeting day.

The motion PASSED by the following vote:
Ayes: 6 - Costa, Knee, Manneh, Washburn, Johnson, Wolfe
Absent: 4 - Chan, West, Snyder, Cauthen

Meeting Recess 6:30 pm – 6:40 pm

7. **File No. 11084:** Reconsideration of File No. 11084 Complaint filed by Library Users Association against the Arts Commission for not providing an audio recording of a meeting. (01:59:23 - 02:33:22)

Vice Chair Wolfe provided a recap of the prior proceedings. The Sunshine Ordinance Task Force attorney advised that the file be heard as a hearing.

Peter Warfield (Complainant) provided an overview of the complaint and further requested the Task Force to find violation. There were no speakers in support of the Complainant. Julio Mattos, Arts Commission (Respondent), provided an overview of the Commission's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent waived his right to rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Johnson, seconded by Member Costa, moved to find P.J. Johnston, former Chair of the Arts Commission in violation of Sunshine Ordinance Section 67.14(b) for failure to record its meeting. The Visual Arts Committee is a standing committee under the Arts Commission; invite the current Chair of the Arts Commission to appear before the Education Outreach and Training Committee; and referral to Education Outreach and Training Committee to confirm that meetings will be recorded.

Speakers: Male Speaker spoke expressing concern for the Arts Commission's failure to record its meetings.

The motion PASSED by the following vote:
Ayes: 6 - Costa, Knee, Manneh, Washburn, Johnson, Wolfe
Absent: 4 - Chan, West, Snyder, Cauthen

8. **File No. 11099:** Hearing on complaint filed by Jason Grant Garza against the Department of Public Health for allegedly not providing requested information. (02:33:23 - 03:02:12)

Jason Grant Garza (Complainant) provided an overview of the complaint and further requested the Task Force to find violation. There were no speakers in support of the Complainant. The Respondent was not present. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent was not present for the rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Costa, seconded by Member Knee, moved to find Barbara Garcia, Department of Public Health, in violation of Sunshine Ordinance 67.21 (e) for failure to send a knowledgeable representative to appear before the Task Force; referral to Education Outreach and Training Committee.

Speakers: There were no speakers.

The motion PASSED by the following vote:
Ayes: 6 - Costa, Knee, Manneh, Washburn, Johnson, Wolfe
Absent: 4 - Chan, West, Snyder, Cauthen

9. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. (03:02:14 - 03:02:23)

Member Knee, seconded by member Costa, moved to find jurisdiction.

Speakers: There were no speakers.

The motion PASSED without objection.

By unanimous consent the item was CONTINUED to June 6, 2012

10. **File No. 12011:** Complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly not providing requested records regarding the Montgomery - Alta Street Tree Project. (03:02:22 - 03:44:02)

Chair Johnson, seconded by Member Knee, moved to find jurisdiction.

Speakers: There were no speakers.

The motion PASSED without objection.

Lars Nyman (Complainant) provided an overview of the complaint and further requested the Task Force to find violation. There were no speakers in support of the Complainant. Frank Lee, Department of Public Works (Respondent), provided an overview of the department's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal

and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal and further requested the Task Force to find violation.

Frank Lee (Respondent) stated he will speak with the IT department to obtain the original email formatting for Lars Nyman (Complainant).

Member Johnson, seconded by Member Costa, moved to find Frank Lee, Department of Public Works, in violation of Sunshine Ordinance Sections 67.21 (a) for unreasonable delay; 67.26 due to redacting contact information and thus failing to keep withholding to a minimum; 67.27 for failure to justify withholding; and Section 6253.9(a) of the California Public Records Act for failure to provide a copy of the requested document in the electronic format requested; and referral to Compliance and Amendments Committee.

Speakers: Peter Warfield spoke providing information regarding redacting of personal email, addresses on documents.

The motion PASSED by the following vote:
Ayes: 4 - Knee, Manneh, Washburn, Wolfe
Noes: 2- Costa, Johnson
Absent: 4 - Chan, West, Snyder, Cauthen

Meeting Recess 9:10 PM – 9:15 PM

11. **File No. 12012:** Complaint filed by Lars Nyman against Frank Lee, Department of Public Works for allegedly not providing requested records and delayed response. (03:44:05 - 04:32:22)

Member Knee, seconded by Member Costa, moved to find jurisdiction.

Speakers: There were no speakers.

The motion PASSED without objection.

Lars Nyman (Complainant) provided an overview of the complaint and further requested the Task Force to find violation. There were no speakers in support of the Complainant. Frank Lee, Department of Public Works (Respondent), provided an overview of the Agency's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent waived his right to rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Johnson, seconded by Member Manneh, moved to find Frank Lee, Department of Public Works, in violation of Sunshine Ordinance Sections 67.25 (b) for failure to provide documents; 67.25(d) for failure to provide documents on rolling basis; 67.21(e) failure to comply with the public records request; and Section 6253(c) of the California Public Records Act for failure to respond by 14-day extended deadline; and referral to Compliance and Amendments Committee.

Speakers: There were no speakers.

The motion PASSED by the following vote:
Ayes: 6 - Costa, Knee, Manneh, Washburn, Wolfe, Johnson
Absent: 4 - Chan, West, Snyder, Cauthen

12. **File No. 12013:** Complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. (04:32:23 - 05:02:12)

Member Johnson, seconded by Member Manneh, moved to find jurisdiction.

Speakers: There were no speakers.

The motion PASSED without objection.

William Clark (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. Julio Mattos, on behalf of Howard Lazar, Arts Commission (Respondent), provided an overview of the Arts Commission's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find further violations. The Respondent provided a rebuttal and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal and further requested the Task Force to find violation.

Chair Johnson, seconded by Knee, moved to CONTINUE the item to June 6, 2012.

Speakers: There were no speakers.

The motion PASSED by the following vote:
Ayes: 6 - Costa, Knee, Manneh, Washburn, Wolfe, Johnson
Absent: 4 - Chan, West, Snyder, Cauthen

13. **File No. 12014:** Complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. (05:02:12 - 05:02:18)

Member Costa, seconded by Member Manneh, moved to CONTINUE the item to June 6, 2012.

Speakers: There were no speakers.

The motion PASSED without objection.

14. **File No. 12015:** Compliant filed by William Clark against Ben Rosenfield, Controller, Controller's Office for allegedly not providing documents regarding the authorization of expenditures by the Street Artist Program. (05:02:18 - 05:32:21)

Chair Johnson, seconded by Member Manneh, moved to find jurisdiction.

Speakers: There were no speakers.

The motion PASSED without objection.

Robert Clark (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. Monique Zmuda, Controller's Office (Respondent), provided an overview of

the Agency's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal and further requested the Task Force to dismiss the complaint. Complainant provided a rebuttal and further requested the Task Force to find violation.

Due to lack of a motion, the Task Force FOUND NO VIOLATION.

MATTER CONCLUDED.

15. **File No. 12016:** Complaint filed by Michael Petrelis against Castro Community Benefit District for allegedly not providing proper public notice of the agenda and accurate minutes. (05:32:22 - 05:32:33)

Member Knee, seconded by Member Washburn, moved to find no Jurisdiction.

Speakers: There were no speakers.

The motion PASSED by the following vote:
Ayes: 5 – Costa, Knee, Manneh, Washburn, Vice Chair Wolfe,
Noes: 1 – Chair Johnson
Absent: 4 - Chan, West, Snyder, Cauthen

Matter CONCLUDED.

16. **Approval of Minutes from the April 4, 2012, Regular Meeting.**

By unanimous consent the item was CONTINUED to June 6, 2012

Speakers: There were no speakers.

The motion PASSED without objection.

17. **Approval of Minutes from the October 25, 2011, Regular Meeting.**

By unanimous consent the item was CONTINUED to June 6, 2012

Speakers: There were no speakers.

The motion PASSED without objection.

18. **Approval of Minutes from the November 29, 2011, Special Meeting.**

By unanimous consent the item was CONTINUED to June 6, 2012

Speakers: There were no speakers.

The motion PASSED without objection.

19. **Approval of Minutes from the January 3, 2012, Special Meeting.**

By unanimous consent the item was CONTINUED to June 6, 2012

Speakers: There were no speakers.

The motion PASSED without objection.

20. **Approval of Minutes from the January 24, 2012, Special Meeting.**

By unanimous consent the item was CONTINUED to June 6, 2012

Speakers: There were no speakers.

The motion PASSED without objection.

21. **Approval of Minutes from the February 28, 2012, Regular Meeting.**

By unanimous consent the item was CONTINUED to June 6, 2012

Speakers: There were no speakers.

The motion PASSED without objection.

22. **Approval of Minutes from the March 7, 2012, Regular Meeting.**

By unanimous consent the item was CONTINUED to June 6, 2012

Speakers: There were no speakers.

The motion PASSED without objection.

23. **Public Comment:**

Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda.

Speakers: Doug Comstock spoke honoring Member Sue Cauthen; Patrick Monette-Shaw spoke honoring and presenting a gift to Member Knee; Jason Grant Garza spoke expressing concern with his complaints and read a statement from the Ethics Commission meeting regarding SOTF referrals; Ray Hartz spoke honoring Member Snyder; Peter Warfield spoke honoring Chair Johnson; Derek Kerr spoke honoring the Members of SOTF; Lars Nyman spoke honoring for the SOTF the Members; Pastor Gavin spoke reading a statement honoring the Members of SOTF; Paul Currier spoke expressing concern with central the tabulation unit and praise for the Members of SOTF.

The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Sunshine Ordinance Task Force.

Patrick Monette-Shaw submitted the following additional information for Public Comment as follows:

Agenda Item No. 23, Public Comment (150 words)

As a member of the Sunshine Posse — a group of open government advocates concerned about knowing what San Francisco's government is doing on our behalf — I'm pleased to present this engraved paperweight tonight to outgoing Sunshine Task Force member Richard Knee.

It reads: "Richard Knee. In appreciation for service to the people of the City and County of San Francisco. Sunshine Ordinance Task Force."

Mr. Knee was first nominated in 2002 by the Society of Professional Journalists–Northern California Chapter's Freedom of Information subcommittee for a seat on the Sunshine Task Force. The Board of Supervisors confirmed his initial appointment, and the Board renewed his reappointments in 2004, 2006, 2008, and 2010. Richard served as the Task Force's chair person in 2009–010 and 2010–11.

Thank you, Richard, for your dedication and commitment to open government and freedom of information, and an admirable decade of service to San Franciscans.

24. **Report: Compliance and Amendments meeting of March 20, 2012.**

In the interest of time, the report was not heard.

25. **Administrator's Report.**

In the interest of time, the report was not heard.

26. **Announcements, Comments, Questions, and Future Agenda Items.**

In the interest of time, the report was not heard.

27. **ADJOURNMENT**

There being no further business, the Task Force adjourned at the hour of 11:05 p.m.

APPROVED: April 3, 2013

A. Ausberry

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT DOCUMENTS DEPT
JUN - 1 2012
SAN FRANCISCO PUBLIC LIBRARY

Wednesday, June 6, 2012 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	(Vacant)	Seat 8	Todd David
Seat 2	Richard Knee	Seat 9	Chris Hyland
Seat 3	(Vacant Until Sworn In) Kitt Grant	Seat 10	(Vacant Until Sworn In) Louise Fischer
Seat 4	Suzanne Manneh	Seat 11	Jackson West
Seat 5	Allyson Washburn		
Seat 6	(Vacant Until Sworn In) David Pilpel	Ex-officio	(Vacant)
Seat 7	(Vacant Until Sworn In) David Sims	Ex-officio	(Vacant)

2. **Swearing in of appointees not previously sworn in.** *(approximately 5 minutes)*

3. Annual Election of Officers (Bylaws Art. II). *(approximately 15 minutes)* (Discussion and Action)

4. **Determine compliance with Sunshine Ordinance Section 67.30(a):** "At all times the task force shall include at least one member who shall be a member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government." *(approximately 10 minutes)* (Discussion and Action)

5. **Recognition of exiting members for past service:** Hope Johnson, Richard Knee, Sue Cauthen, Hanley Chan, Jay Costa, David Snyder, James Knoebber, Bruce Wolfe. *(approximately 5 minutes)* (Discussion and Action)

6. **Approval of Minutes from the May 2, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

7. Taking action at a meeting. Quorum, required vote, Task Force's bylaws, and the City Charter Section 4.104. *(approximately 15 minutes)* (Discussion and Action)

8. Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing. *(approximately 15 minutes)* (Discussion and Action)

9. July 11, 2012, Special Meeting due to Regular scheduled meeting convening on July 4, 2012, holiday. *(approximately 5 minutes)* (Discussion and Action)

10. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission. *(approximately 15 minutes) (Discussion and Action) (attachment)*

11. **File No. 11089:** Complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(attachment)*

    a) Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 30 minutes)* (Discussion and Action)

12. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(attachment)*

    a) Determination of jurisdiction on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 30 minutes) (Discussion and Action)*

13. **File No. 12013:** Complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. *(attachment)*

    a) Determination of jurisdiction on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the

Street Artist Program for FY 2010-2011. *(approximately 30 minutes) (Discussion and Action)*

14. **File No. 12014:** Complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(attachment)*

    a) Determination of jurisdiction on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(approximately 30 minutes) (Discussion and Action)*

15. **File No. 12017:** Complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *(attachment)*

    a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *(approximately 30 minutes) (Discussion and Action)*

16. **File No. 12018:** Complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully. *(attachment)*

    a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully. *(approximately 30 minutes) (Discussion and Action)*

17. **File No. 12019:** Complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural. *(attachment)*

    a) Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural. *(approximately 30 minutes) (Discussion and Action)*

18. **File No. 12020:** Complaint filed by William Clark against the Arts Commission for allegedly not responding to a request for an audio copy of the Arts Commission March 5, 2012, meeting. *(attachment)*

    a) Determination of jurisdiction on complaint filed by William Clark against the Arts Commission for allegedly not responding to a request for an audio copy of the Arts Commission March 5, 2012, meeting. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by William Clark against the Arts Commission for allegedly not responding to a request for an audio copy of the Arts Commission March 5, 2012, meeting. *(approximately 30 minutes) (Discussion and Action)*

19. **File No. 12021:** Complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks. *(attachment)*

    a) Determination of jurisdiction on complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks. *(approximately 30 minutes) (Discussion and Action)*

20. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

21. **Report: Education Outreach and Training Committee meeting of May 10, 2012**. *(approximately 5 minutes)* (Discussion and Action)

22. **Report: Compliance and Amendments Committee meeting of May 15, 2012**. *(approximately 5 minutes)* (Discussion and Action)

23. **Administrator's Report.** *(approximately 5 minutes)* (Discussion and Action)

24. **Announcements, Comments, Questions, and Future Agenda Items.** *(approximately 10 minutes)* (Discussion and Action)

25. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these document, please contact SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at

Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 37 of the San Francisco Administrative Code on the Internet , at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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June 6, 2012 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair)
Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel,
David Sims, Todd David, Chris Hyland, Jackson West

1. **Call to Order, Roll Call, and Agenda Changes.**

The meeting was called to order at 4:11 p.m. by the Sunshine Ordinance Task Force Administrator. Member Sims and Member West were noted absent. There was a quorum.

Member Knee, seconded by Member Washburn, moved to EXCUSE Member Sims.

Speakers: Ray Hartz, Jr. expressed concern regarding attendance issues with the past Task Force members and to adhere to the Bylaws; Patrick Monette-Shaw spoke about the schedule of the previous Task Force; Peter Warfield expressed the importance of attendance by the Task Force Members; Michael Petrelis expressed concern with the absence of members and capturing absences in the minutes.

The motion PASSED without objection.

The Task Force Administrator announced that File No. 12020, William Clark v. Arts Commission (Item No. 18) was withdrawn by the Complainant; File No. 12017, Ray Hartz, Jr. v Supervisor David Campos (Item No. 15), was requested by Supervisor Campos' Office (Respondent) to be heard earlier on the agenda due to the Respondent's scheduling restraints.

Member Fischer, seconded by Member Grant, moved to hear File No. 12017 earlier on the agenda.

Speakers: William Clark spoke in opposition to the motion; Thomas Piccarello spoke in opposition to the motion; Ray Hartz, Jr., spoke in opposition to the motion; Patrick Monette-Shaw spoke in opposition to the motion, Dr. Kerr spoke in opposition to the motion.

The motion FAILED by the following vote:
Ayes: 4 - Pilpel, Hyland, Fischer, Grant
Noes: 4 - Knee, Manneh, Washburn, David
Excused: 1 - Sims
Absent: 1 - West

Member Pilpel, seconded by Member Knee, moved to change the order of the agenda, hearing Item Nos. 5 through 9 after Item No. 19.

Speakers: Patrick Monette-Shaw, Allen Grossman, and Ray Hartz, Jr., spoke in favor of the motion; Peter Warfield spoke in support of hearing item no. 7 as agendized; Male Speaker spoke against moving items.

The motion PASSED by the following vote:
Ayes: 8 - Knee, Manneh, Washburn, Pilpel, David, Hyland, Fischer, Grant
Noes: 0 -
Excused: 1 - Sims
Absent: 1- West

Recess 6:47 P.M. - 7:00 P.M.

2. **Swearing in of appointees not previously sworn in.**

Madeleine Licavoli, Deputy Director, Office of the Clerk of the Board of Supervisors swore in appointee David Pilpel into the office of Member of the Sunshine Ordinance Task Force.

Speakers: Patrick Monette-Shaw expressed the laws members must uphold; Dr. Kerr spoke expressing concern with the purge of the Task Force; Ray Hartz expressed concern with the retaliation of the Board of Supervisors against the former members of the Task Force; Michael Petrelis expressed concern with the qualifications of the current Task Force members; Doug Comstock expressed his support for the Sunshine Ordinance Task Force; Peter Warfield expressed the purpose of the Sunshine Ordinance Task Force.

3. **Annual Election of Officers (Bylaws Art. II).**

Member Knee, seconded by Member Manneh, moved to have the nomination for the newly elected Chair effective June 6, 2012 through the July 2012 through June 2013 fiscal year.

Speakers: Ray Hartz, Jr. spoke in opposition to the nomination of David Pilpel as Chair; Bruce Wolfe spoke to the process of a friendly amendment, Patrick Monette-Shaw spoke in favor to the motion; Peter Warfield spoke in favor of the motion.

The motion PASSED by the following vote:
Ayes: 8 - Knee, Grant, Manneh, Washburn, Pilpel, David, Hyland, Fischer
Excused: 1 - Sims

Absent: 1- West

Member Fischer, seconded by Member Hyland, moved to continue the election of Chair and Vice Chair to July meeting.

Speakers: Patrick Monette-Shaw spoke expressing concern with the members regarding their qualifications and knowledge of the bylaws; Allen Grossman spoke advising members to refer to the holdover members for guidance and experience; Ray Hartz, Jr. spoke expressing concern with the new member's knowledge of the bylaws and Sunshine Ordinance; Paul Courier spoke expressing concern with the new member's knowledge of the bylaws and Sunshine Ordinance; Pastor Gavin spoke expressing concern with the new member's knowledge of the bylaws and Sunshine Ordinance; Doug Comstock spoke advising the Task Force to amend the bylaws; Peter Warfield spoke in opposition of postponing the election of officers.

The motion FAILED by the following vote:

Ayes: 1 - Fischer
Noes: 7 - Knee, Manneh, Washburn, Pilpel, David, Hyland, Grant
Excused: 1 - Sims
Absent: 1 - West

Member Knee nominated Member Grant for Chair. Member Fischer nominated Member Pilpel for Chair.

Member Pilpel withdrew his nomination for Chair.

Speakers: Patrick Monette-Shaw spoke in opposition to the nomination of Member Pilpel and support of Member Grant; Bruce Wolfe spoke in support of the nomination of Grant; Michael Petrelis spoke expressing concern with experience of the nominee; Peter Warfield spoke expressing concern with the nominee; Pastor Gavin spoke expressing concern with the nominee; Doug Comstock spoke in support of the nomination of Member Grant.

Member Grant was elected Chair by the following vote:

Member Grant: 8 - Knee, Manneh, Washburn, Pilpel, David, Hyland, Fischer, Grant
Excused: 1 - Sims
Absent: 1- West

Chair Grant presided over the remainder of the June 6, 2012, meeting.

Member Knee nominated Member Hyland for Vice Chair. Member Fischer nominated Member Pilpel for Vice Chair. Member Pilpel nominated Member Fischer for Vice Chair.

Member Hyland withdrew his nomination for Vice Chair.

Speakers: Bruce Wolfe spoke expressing concern regarding building consensus; Peter Warfield spoke expressing concern with nomination process and opposition to the nomination of Member Pilpel; Ray Hartz, Jr. spoke in opposition to electing new members as Chair and Vice Chair; Allen Grossman spoke in opposition to nomination of Member Pilpel; Michael Petrelis spoke in opposition to nominations of Members Pilpel and Fischer; Patrick Monette-Shaw spoke in opposition to nominations of Members Pilpel and Fischer; Pastor Gavin spoke in opposition to nominations of Members Pilpel and Fischer; Doug Comstock spoke in support of the nomination of Member Fischer and opposition to the nomination of Member Pilpel; Paul Currier spoke in opposition to the nomination of Member Pilpel.

Member Fischer elected Vice Chair by the following vote:
Fischer: 8 - Knee, Manneh, Washburn, Pilpel, David, Hyland, Fischer, Grant
Excused: 1 - Sims
Absent: 1- West

4. **Determine compliance with Sunshine Ordinance Section 67.30(a):** "At all times the Task Force shall include at least one member who shall be a member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government."

Angela Cavillo, Clerk of the Board of Supervisors, presented the history of the item. Jerry Threet, Deputy City Attorney advised the Task Force on Section 67.30(a).

Member Pilpel called former Member Vice Chair Bruce Wolfe to speak on the Task Force's continuous effort to have a member who fulfills Section 67.30 Ordinance requirement (Seats 6 - 11).

Member Knee, seconded by Member Manneh, moved to adjourn the Task Force meeting of June 6, 2012, and not to convene thereafter until a member is appointed by the Board of Supervisors to fulfill Section 67.30(a).

The motion was withdrawn by Member Knee.

Speakers: Patrick Monette-Shaw expressed concern with Task Force being in violation of 67.30(a); Bruce Wolfe presented the specifics of the qualification of each seat and 67.30(a); Dr. Derek Kerr expressed concern with the removal of Bruce Wolfe from the Task Force; Peter Warfield expressed concern with the Task Force being in violation of 67.30(a); Ray Hartz Jr. expressed concern with the Board of Supervisors violating 67.30(a); Mike expressed concern with adjourning the meeting and not convening for future meetings; Supervisor Campos spoke stating he was not privy to the ADA requirement and that it's an ethical question not just a legal question in regards to moving forward; Antonio spoke in favor of complaints being heard.

SUBSTITUTE MOTION

Member Knee, seconded by Member Manneh, moved to continue with the June 6, 2012 meeting.

The motion FAILED by the following vote:
Ayes: 4 - Knee, Pilpel, Hyland, Fischer
Noes: 4 - Grant, Manneh, Washburn, David
Excused: 1 - Sims
Absent: 1 - West

Member Knee, seconded by Member David, moved to adjourn the June 6, 2012 meeting.

The motion PASSED by the following vote:
Ayes: 5 - Knee, Manneh, Washburn, David, Fischer, Grant
Noes: 2 - Pilpel, Hyland
Excused: 1 - Sims
Absent: 1- West

5. **Recognition of exiting members for past service:** Hope Johnson, Richard Knee, Sue Cauthen, Hanley Chan, Jay Costa, David Snyder, James Knoebber, Bruce Wolfe.

   NO ACTION TAKEN.

6. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

   NO ACTION TAKEN.

7. Taking action at a meeting. Quorum, required vote, Task Force's bylaws, and the City Charter Section 4.104.

   NO ACTION TAKEN.

8. Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing.

   NO ACTION TAKEN.

9. July 11, 2012, Special Meeting due to Regular scheduled meeting convening on July 4, 2012, holiday.

   NO ACTION TAKEN.

10. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission.

    NO ACTION TAKEN.

11. **File No. 11089:** Complaint filed by Robb Birkhead against the City Attorney's Office for allegedly withholding documents.

a) Determination of jurisdiction on complaint filed by Robb Birkhead against the City Attorney's Office for allegedly withholding documents.

b) Hearing on complaint filed by Robb Birkhead against the City Attorney's Office for allegedly withholding documents.

NO ACTION TAKEN.

12. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.

a) Determination of jurisdiction on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.

b) Hearing on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.

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a) Determination of jurisdiction on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

b) Hearing on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

NO ACTION TAKEN.

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a) Determination of jurisdiction on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget.

b) Hearing on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget.

NO ACTION TAKEN.

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    a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens.

    b) Hearing on complaint filed Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *)*

NO ACTION TAKEN.

16. **File No. 12018:** Complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully.

    a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully.

    b) Hearing on complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully.

NO ACTION TAKEN.

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    a) Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural.

    b) Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural.

NO ACTION TAKEN.

18. **File No. 12020:** Complaint filed by William Clark against the Arts Commission for allegedly not responding to a request for an audio copy of the Arts Commission March 5, 2012, meeting.

    a) Determination of jurisdiction on complaint filed by William Clark against the Arts Commission for allegedly not responding to a request for an audio copy of the Arts Commission March 5, 2012, meeting.

    b) Hearing on complaint filed by William Clark against the Arts Commission for allegedly not responding to a request for an audio copy of the Arts Commission March 5, 2012, meeting.

    NO ACTION TAKEN.

19. **File No. 12021:** Complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks.

    a) Determination of jurisdiction on complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks.

    b) Hearing on complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks.

    NO ACTION TAKEN.

20. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda.

    Speakers: Patrick Monette-Shaw expressed concern with the Ethics Commission referring his case to the San Jose City Attorney; Michelle expressed concern with the complaint process and gave a minute of silence to those murdered in San Francisco; George Wooding expressed concern regarding his case against the Recreation and Park Department; Marco Scott expressed concern with the Police Department not releasing video footage to solve a homicide; Allen Grossman expressed concern on resolving the issue of outstanding complaint cases; Jeremy Miller expressed concern with the length of Task Force meetings and consideration of members of the public who attend; Michael Petrelis expressed concern to the hostility of City agencies when trying to resolve complaint cases; Pastor Gavin expressed concern with the hostility of respondents her compliant cases are against; Antonio asked the Task Force to hear complaint cases without bias; Paul Currier expressed frustration with compliant process; Ray Hartz, Jr. expressed concern with enforcement of referrals by the Ethics Commission and lack of resources for Task Force to succeed; uncle of Oscar Grant spoke in support of complainant of File No. 12005 to receive death certificate document requested and denied; Doug Comstock spoke giving the history regarding the decision of who would

appoint Task Force members and specifics of seats 1, 2 and 4; Peter Warfield questioned how the agenda was created; Ms. Chapman expressed frustration with the resistant her family is experiencing in obtaining evidence to solve the murder of her son Kenneth Harding Jr.; Charles Pitts spoke asking the Task Force to make decisions with the complainants in mind.

21. **Report: Education Outreach and Training Committee meeting of May 10, 2012**.

    NO ACTION TAKEN.

22. **Report: Compliance and Amendments Committee meeting of May 15, 2012**.

    NO ACTION TAKEN.

23. **Administrator's Report.**

    NO ACTION TAKEN.

24. **Announcements, Comments, Questions, and Future Agenda Items.**

    NO ACTION TAKEN.

25. **ADJOURNMENT**

    Member Knee, seconded by Member David, moved to ADJOURN.

    There were no speakers. **The motion PASSED without objection.**

    There being no further business, the Sunshine Ordinance Task Force adjourned at the hour of 8:37 p.m.

APPROVED: April 3, 2013

A Ausberry

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE
TASK FORCE

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-7724
Fax No. 415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Sunshine Ordinance Task Force scheduled for Wednesday, July 4, 2012, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

POSTED: June 29, 2012

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JUN 29 2012

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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JUN 29 2012
SAN FRANCISCO
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July 11, 2012 – 4:30 PM

Special Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	(Vacant)	Seat 8	Todd David
Seat 2	Richard Knee	Seat 9	Chris Hyland
Seat 3	Kitt Grant	Seat 10	Louise Fischer
Seat 4	Suzanne Manneh	Seat 11	Jackson West
Seat 5	Allyson Washburn		
Seat 6	David Pilpel	Ex-officio	(Vacant)
Seat 7	(Vacant Until Sworn In) David Sims	Ex-officio	(Vacant)

2. **Determine compliance with Sunshine Ordinance Section 67.30(a):** "At all times the task force shall include at least one member who shall be a member of the public who is physically handicapped and who has demonstrated interest in citizen access and participation in local government." *(approximately 10 minutes)* (Discussion and Action)

3. **Sunshine Ordinance Task Force Bylaws.** Proposal to change the definition of the majority required for voting to take action on substantive matters before the Task Force. *(approximately 15 minutes)* (Action)

   In accordance to the Sunshine Ordinance Task Force's By-laws, Article VIII, Amendment of By-laws; Final action will not be taken on this item at the July 11, 2012 Task Force Meeting.

   Article IV - Meetings
   Section 7. Action at a Meeting; Quorum and Required Vote
   The presence of a majority of the members (six members) of the Task Force shall constitute a quorum for all purposes. The affirmative vote of a majority of the members of the Task Force ~~present~~ (six votes) shall be required for the approval of all substantive matters. Procedural motions require an affirmative vote of a majority of the members present. If a quorum is not present, no official action may be taken, except roll call and adjournment.

4. Selection of Members to service on standing committees and appointment of its Chairs and Vice Chairs. *(approximately 15 minutes)* (Action)

5. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

6. **Approval of Minutes from the May 2, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

7. **Approval of Minutes from the June 6, 2012, Regular Meeting.** *(approximately 5 minutes)* (Discussion and Action)

8. Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing. *(approximately 15 minutes)* (Discussion and Action)

9. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission. *(approximately 15 minutes) (Discussion and Action) (attachment)*

10. **File No. 11089:** Complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(attachment)*

    a) Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 30 minutes)* (Discussion and Action)

11. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(attachment)*

    a) Determination of jurisdiction on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 30 minutes) (Discussion and Action)*

12. **File No. 12013:** Complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. *(attachment)*

a) Determination of jurisdiction on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. *(approximately 5 minutes) (Discussion and Action)*

b) Hearing on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. *(approximately 30 minutes) (Discussion and Action)*

13. **File No. 12014:** Complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(attachment)*

a) Determination of jurisdiction on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(approximately 5 minutes) (Discussion and Action)*

b) Hearing on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(approximately 30 minutes) (Discussion and Action)*

14. **File No. 12017:** Complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *(attachment)*

a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *(approximately 5 minutes) (Discussion and Action)*

b) Hearing on complaint filed Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *(approximately 30 minutes) (Discussion and Action)*

15. **Report: Education Outreach and Training Committee meeting of May 10, 2012**. *(approximately 5 minutes)* (Discussion and Action)

16. **Report: Compliance and Amendments Committee meeting of May 15, 2012**. *(approximately 5 minutes)* (Discussion and Action)

17. **Administrator's Report.** *(approximately 5 minutes)* (Discussion and Action)

18. **Announcements, Comments, Questions, and Future Agenda Items.** *(approximately 10 minutes)* (Discussion and Action)

19. **ADJOURNMENT**

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Public Comment

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Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
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	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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Know Your Rights Under the Sunshine Ordinance

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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July 11, 2012 – 4:30 PM

Special Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland

1. **Call to Order, Roll Call, and Agenda Changes.**

The meeting was called to order at 4:36 pm. Member Hyland was noted absent. There was a quorum. Member Hyland was noted present at 4:40 p.m.

Chair Grant indicated a request that File No. 12005, Anonymous v. the Municipal Transportation Agency (Item 11), be continued by the Complainant until the Task Force is in compliance with Sec. 67.30 (a). Chair Grant announced Items 4 through 7 would be heard before Item 2.

Member Knee, seconded by Member Hyland, moved to adjourn the 4:30 p.m. special meeting.

The motion FAILED by the following vote:
Ayes: 4 – Knee, Manneh, Washburn, Hyland
Noes: 5 – Pilpel, Sims, David, Fischer, Grant

Member David, seconded by Member Hyland, moved to table Item Four (4) until Item Two (2) is heard.

The motion PASSED by the following vote:
Ayes: 6 – Pilpel, Sims, David, Hyland, Fischer, Grant
Noes: 3 – Knee, Manneh, Washburn

Member Grant, seconded by Member Sims, moved to CONTINUE TO THE CALL OF THE CHAIR Complaint No. 12005 (Item 11) by request of the complainant.

Speakers: Patrick Monette-Shaw spoke in objection to continuing Item 11 till the Task Force is in compliance with Sec. 67.30(a); Jason Grant Garza expressed concern with his complaints brought before the Task Force; Ray Hartz spoke in favor of the Task Force not convening until it is in compliance with Sec. 67.30(a); Allen Grossman spoke in favor of the Task Force adhering to Sec. 67.30(a); Peter Warfield expressed concern with Member Knee's outside counsel advice regarding Sec. 67.30(a); Dr. Derek Kerr expressed concern with the Task Force not being in with Sec. 67.30; Kimo Crossman expressed concern with the Task Force allegedly being in violation of seriatim meetings.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Washburn, Pilpel, Sims, David, Hyland, Fischer, Grant
Noes: 1 – Manneh

2. **Determine compliance with Sunshine Ordinance Section 67.30(a).**

Member Knee presented legal advice from outside counsel regarding the Task Force and its violation with Sec. 67.30(a).

Member Grant, seconded by Member Knee, moved that the Task Force write a letter to the Board of Supervisors concerning its violation of Sunshine Ordinance Section 67.30(a) and that the Task Force will not convene until the Task Force is in compliance. The motion was withdrawn.

Member Hyland, seconded by Member Manneh, moved that the Task Force write a letter to the Board of Supervisors concerning its violation of the Sunshine Ordinance Section 67.30(a) and to include a timeframe for the Board of Supervisors to abide by the Ordinance. The motion was withdrawn.

Member David, seconded by Member Knee, moved that the Task Force write a letter to the Board of Supervisors concerning its violation of Sunshine Ordinance Section 67.30(a) without a time stipulation.

Speakers: Patrick Monette-Shaw spoke in favor of the Task Force not convening until it is in compliance with Sec. 67.30(a); Jason Grant Garza spoke in objection to the Task Force writing a letter to the Board of Supervisors; Ray Hartz spoke in favor of the Task Force not convening until they are in compliance with Sec. 67.30(a); Mr. Clark spoke in favor of the Task Force not convening due to Sec. 67.30(a), though his complaint will be affected; Allen Grossman expressed agreement with the Task Force and that the Ethics Commission may reject referrals sent; Robert Clark spoke in favor of the Task Force not convening for future meetings; Male Speaker spoke in favor of the Task Force not meeting due to Sec. 67.30(a); Peter Warfield spoke in favor of the Task Force writing a letter to the Board of Supervisors regarding its violation of Sec. 67.30(a); Jeremy Miller spoke in favor of the Task Force adjourning due to its violation Sec. of 67.30(a); Female Speaker spoke in favor of the Task Force writing a letter to the Board of Supervisors.

The motion PASSED by the following vote:
Ayes: 9 – Knee, Manneh, Washburn, Pilpel, Sims, David, Hyland, Fischer, Grant

3. **Sunshine Ordinance Task Force Bylaws.**

   NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

4. Selection of Members to service on standing committees and appointment of its Chairs and Vice Chairs.

   NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

5. **Public Comment:**

   Speakers: Patrick Monette-Shaw spoke in objection to the Task Force convening in light of violating Sunshine Ordinance Sec. 67.30(a); Ray Hartz, Jr. spoke in objection to a two minute speaker time limit and in support of the Task Force not convening for future meetings due to Sec. 67.30(a); Allen Grossman spoke in support of the Task Force not convening for future meetings due to Sec. 67.30(a); Jason Grant Garza expressed concern with decisions made on his complaints spanning over 10 years; Kimo Crossman expressed concern with speaker time limits and three minute speaker rule; Peter Warfield spoke in objection to two minute speaker time limit and in favor to the Task Force adhering to Sec. 67.30(a); Male Speaker expressed that the Task Force stay in compliance with Sec. 67.30(a).

6. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

   NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

7. **Approval of Minutes from the June 6, 2012, Regular Meeting.**

   NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

8. Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing.

   NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

9. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission.

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

10. **File No. 11089:** Complaint filed by Robb Birkhead against the City Attorney's Office for allegedly withholding documents.

    NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

11. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.

    Chair Grant indicated a request that File No. 12005, Anonymous v. the Municipal Transportation Agency (Item 11) be continued by the Complainant until the Task Force is in compliance with 67.30 (a).

    NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

12. **File No. 12013:** Complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

    NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

13. **File No. 12014:** Complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget.

    NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

14. **File No. 12017:** Complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens.

    NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

15. **Report: Education Outreach and Training Committee meeting of May 10, 2012.**

    NOT HEARD. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

16. **Report: Compliance and Amendments Committee meeting of May 15, 2012.**

NOT HEARD. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

17. **Administrator's Report.**

NOT HEARD. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

18. **Announcements, Comments, Questions, and Future Agenda Items.**

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

19. **ADJOURNMENT**

Member Knee, seconded by Member Manneh, moved to ADJOURN.

Speakers. Patrick Monette-Shaw spoke expressing concern with the content of the letter to the Board of Supervisors; Jason Grant Garza spoke expressing disagreement with the Task Force's processes; Ray Hartz, Jr. spoke expressing the rights of the public; Allen Grossman spoke regarding having two agendas; Peter Warfield spoke expressing how the compliance issue is crippling the complaint hearing process; Jeremy Miller spoke in favor of adjourning the meeting.

The motion PASSED without objection.

There being no further business, the Sunshine Ordinance Task Force adjourned at the hour of 6:48 p.m.

APPROVED: April 3, 2013

A. Ausberry

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

July 11, 2012 – 4:35 PM

Special Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	(Vacant)	Seat 8	Todd David
Seat 2	Richard Knee	Seat 9	Chris Hyland
Seat 3	Kitt Grant	Seat 10	Louise Fischer
Seat 4	Suzanne Manneh	Seat 11	(Vacant)
Seat 5	Allyson Washburn		
Seat 6	David Pilpel	Ex-officio	(Vacant)
Seat 7	David Sims	Ex-officio	(Vacant)

2. **Election of Officers; per Article II, Section 3 of the By-Laws:** "The Officers shall be elected at the first regular meeting of the Task Force held on or before July 1 of each year, or at a subsequent meeting, the date of which shall be fixed by the Task Force at the first regular meeting on or after July 1 of each year. If any Task Force office becomes vacant, that office shall be filled at the first meeting after the vacancy occurs." *(approximately 10 minutes)* (Discussion and Action)

3. **ADJOURNMENT**

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	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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July 11, 2012 – 4:35 PM

Special Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair)
Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel,
David Sims, Todd David Chris Hyland

1. **Call to order, roll call, and agenda changes.**

The meeting was called to order at 6:49 pm. All Members were present. There was a quorum.

Member Knee, seconded by Member Manneh, moved to adjourn.

Speakers: Patrick Monette-Shaw spoke expressing concern with Item Two (2) on the agenda; Jason Grant Garza spoke expressing concern with the Ethics Commission's power of enforcement; Peter Warfield spoke expressing concern with the late start of the meeting; Ray Hartz, Jr. commended the Task Force Members for attempting to keep the Task Force compliant with Sec. 67.30(a).

2. **Election of Officers; per Article II, Section 3 of the By-Laws.**

NO ACTION TAKEN. TASK FORCE IN VIOLATION OF SUNSHINE ORDINANCE SECTION 67.30(a).

3. **ADJOURNMENT**

Member Knee, seconded by Member Manneh, moved to ADJOURN.

Speakers: None. **The motion PASSED without objection.**

There being no further business, the Sunshine Ordinance Task Force adjourned at the hour of 7:00 p.m.

APPROVED: April 3, 2013

A. Ausberry

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE
TASK FORCE

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-7724
Fax No. (415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Sunshine Ordinance Task Force scheduled for Wednesday, August 1, 2012, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

POSTED: July 26, 2012

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San Francisco 94102-4689
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Fax No. (415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Sunshine Ordinance Task Force scheduled for Wednesday, September 5, 2012, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

POSTED: August 30, 2012

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SUNSHINE ORDINANCE
TASK FORCE

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San Francisco 94102-4689
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Fax No. (415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Sunshine Ordinance Task Force scheduled for Wednesday, October 3, 2012, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

POSTED: September 19, 2012

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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November 7, 2012 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	(Vacant)	Seat 8	Todd David
Seat 2	Richard Knee (Hold Over)	Seat 9	Chris Hyland
Seat 3	Kitt Grant	Seat 10	Louise Fischer
Seat 4	Suzanne Manneh (Hold Over)	Seat 11	(Vacant Until Sworn In) Bruce Oka
Seat 5	Allyson Washburn (Hold Over)		
Seat 6	David Pilpel	Ex-officio	(Vacant)
Seat 7	David Sims	Ex-officio	(Vacant)

2. **Election of Vice Chair - Election of Officers; per Article II, Section 3 of the By-Laws:** "The Officers shall be elected at the first regular meeting of the Task Force held on or before July 1 of each year, or at a subsequent meeting, the date of which shall be fixed by the Task Force at the first regular meeting on or after July 1 of each year. If any Task Force office becomes vacant, that office shall be filled at the first meeting after the vacancy occurs." *(approximately 10 minutes)* (Discussion and Action)

3. **Approval of Minutes from the May 2, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

4. **Approval of Minutes from the June 6, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action)

5. **Approval of Minutes from the July 11, 2012, Special Meeting.** *(approximately 5 minutes)* (Action)

6. **Sunshine Ordinance Task Force Bylaws.** Proposal to change the definition of the majority required for voting to take action on substantive matters before the Task Force. *(approximately 15 minutes)* (Discussion and Action) *(attachment)*

In accordance to the Sunshine Ordinance Task Force's By-laws, Article VIII, Amendment of By-laws; Final action will not be taken on this item at the November 7, 2012 Task Force Meeting.

Article IV - Meetings
Section 7. Action at a Meeting; Quorum and Required Vote
The presence of a majority of the members (six members) of the Task Force shall constitute a quorum for all purposes. The affirmative vote of a majority of the members of the Task Force ~~present~~ (six votes) shall be required for the approval of all substantive matters. Procedural motions require an affirmative vote of a majority of the members present. If a quorum is not present, no official action may be taken, except roll call and adjournment.

7. Selection of Members to service on standing committees and appointment of its Chairs and Vice Chairs. *(approximately 15 minutes)* (Discussion and Action)

8. Schedule a Special Meeting due to three-month hiatus of SOTF's regularly scheduled meetings to hear complaints. *(approximately 10 minutes)* (Discussion and Action)

9. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

10. Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing. *(approximately 10 minutes)* (Discussion)

11. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission. *(approximately 15 minutes) (Discussion and Action) (attachment)*

12. **File No. 11089:** Complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(attachment)*

    a) Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 5 minutes) (Discussion and Action)*

    b) Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 30 minutes)* (Discussion and Action)

13. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(attachment)*

    a) Determination of jurisdiction on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 5 minutes) (Discussion and Action)*

b) Hearing on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 30 minutes) (Discussion and Action)*

14. **File No. 12013:** Complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. *(attachment)*

a) Determination of jurisdiction on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. *(approximately 5 minutes) (Discussion and Action)*

b) Hearing on complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011. *(approximately 30 minutes) (Discussion and Action)*

15. **File No. 12014:** Complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(attachment)*

a) Determination of jurisdiction on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(approximately 5 minutes) (Discussion and Action)*

b) Hearing on complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget. *(approximately 30 minutes) (Discussion and Action)*

16. **File No. 12017:** Complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *(attachment)*

a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *(approximately 5 minutes) (Discussion and Action)*

b) Hearing on complaint filed Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens. *(approximately 30 minutes) (Discussion and Action)*

17. **Report: Education Outreach and Training Committee meeting of May 10, 2012.** *(approximately 5 minutes)* (Discussion)

18. **Report: Compliance and Amendments Committee meeting of May 15, 2012.** *(approximately 5 minutes)* (Discussion)

19. **Administrator's Report.** *(approximately 5 minutes)* (Discussion)

20. **Announcements, Comments, Questions, and Future Agenda Items.** *(approximately 10 minutes)* (Discussion and Action)

21. **ADJOURNMENT**

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Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at

Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton b. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-7854; or by email at sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 37 of the San Francisco Administrative Code on the Internet , at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics.

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT DOCUMENTS DEPT
MAY 24 2016
SAN FRANCISCO PUBLIC LIBRARY

November 7, 2012 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **Call to Order, Roll Call, and Agenda Changes.**

The meeting was called to order at 4:16 p.m. There was a quorum. Member Fischer was noted absent at 8:58 p.m. Member David was noted absent at 9:28 p.m.

2. **Election of Vice Chair - Election of Officers; per Article II, Section 3 of the By-Laws.**

Member Knee, seconded by Member David, moved to nominate Member Fischer.

Speakers: Jason Grant Garza, Ray Hartz, Peter Warfield, Dr. Derek Kerr, expressed concern over disability seat finally being filled. Francisco DaCosta, expressed concern regarding the length of Task Force meetings.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Manneh, Washburn, Pilpel, Sims, David, Fischer, Grant
Noes: 2 – Hyland, Oka

3. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

Member Knee, seconded by Member Manneh, moved to CONTINUE to December 5, 2012.

Items 3 – 5 were taken as a motion of the whole.

Speakers: Peter Warfield expressed concern over the minutes not reflecting his concerns; Jason Grant Garza expressed concern on what the Task Force has been doing during its time off; Ray Hartz expressed concern over speaker time and motion to continue minutes.

The motion PASSED by the following vote:
Ayes: 10 – Knee, Manneh, Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant

4. **Approval of Minutes from the June 6, 2012, Regular Meeting.**

Member Knee, seconded by Member Manneh, moved to CONTINUE to December 5, 2012.

Speakers: Peter Warfield expressed concern over the minutes not reflecting his concerns; Jason Grant Garza expressed concern on what the Task Force has been doing during its time off; Ray Hartz expressed concern over speaker time and motion to continue minutes.

The motion PASSED by the following vote:
Ayes: 10 – Knee, Manneh, Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant

5. **Approval of Minutes from the July 11, 2012, Special Meeting.**

Member Knee, seconded by Member Manneh, moved to CONTINUE to December 5, 2012.

Speakers: Peter Warfield expressed concern over the minutes not reflecting his concerns; Jason Grant Garza, expressed concern on what the Task Force has been doing during its time off; Ray Hartz expressed concern over speaker time and motion to continue minutes.

The motion PASSED by the following vote:
Ayes: 10 – Knee, Manneh, Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant

6. **Sunshine Ordinance Task Force Bylaws.**

Member David agreed with amendment. Member Washburn presented the reasoning of the former Task Force's rationale for amending the Bylaws. Member Fischer agreed to the proposed amendment, stating that it is the commitment of every member to be present at all meetings. Member Knee stated he dissented on the Bylaw change by the former Task Force. Member Sims expressed that the Charter does not allow the Task Force to go against the Charter. Member Pilpel stated that the Charter supersedes the Sunshine Ordinance.

Allen Grossman presented Task Force meeting quorum and voting rules.

Member Pilpel, seconded by Member Oka, moved to CONTINUE to December 5, 2012.

Speakers: Patrick Monette-Shaw showed support of Mr. Grossman's presentation and opposition for the amendment to the Bylaws; Jason Grant Garza expressed opposition for the amendment of the Bylaws; Ray Hartz expressed that Task Force members' absences

were the reasoning behind the amendment; Peter Warfield expressed the amendment was a matter of justice for the public; Dr. Derek Kerr spoke in opposition of amending the bylaws; Bruce Wolfe spoke to case law regarding the item; Doug Comstock expressed concern on the length of Task Force meetings.

The motion PASSED without objection.

RECESS
6:20 p.m. – 6:38 p.m.

7. **Selection of Members to serve on standing committees and appointments of its Chairs and Vice Chairs.**

Chair Grant appointed the following Members to committees of the Task Force:

Compliance and Amendments Committee: Member Washburn (Chair), Member Knee (Vice-Chair), Member Grant

Education, Outreach and Training Committee: Member Pilpel (Chair), Member David (Vice-Chair), Member Manneh, Member Oka

Rules: Member Sims (Chair), Member Fischer (Vice-Chair), Member Hyland

Speakers: Ray Hartz expressed opposition to the appointment of Member Pilpel as Chair of the Education, Outreach and Training Committee; Peter Warfield expressed opposition to the appointment of Member Pilpel as Chair of the Education, Outreach and Training Committee.

8. **Schedule a Special Meeting due to three-month hiatus of SOTF's regularly scheduled meetings to hear complaints.**

Pending hearing room availability a special meeting Task Force meeting will be held on December 12, 2012.

There were no speakers. **There was consensus to hold a Special Meeting on December 12, 2012.**

9. **Public Comment.**

Speakers: Patrick Monette-Shaw expressed concern on the Ethics Commission's enforcement of complaints; William Clark updated the Task Force on the Civil Grand Jury report in regard to his complaint; Jason Grant Garza expressed concern regarding the Ethics Commission and enforcement of complaints; Michael Petrelis expressed concern with the back-log of complaints and requested Task Force meetings be televised; Ray Hartz expressed concern over the allotment of time given to speakers for public comment; Peter Warfield stated laws and rules regarding public comment time limits; Doug Comstock expressed concern for public comment time limit; Bruce Wolf advised the Task Force to familiarize themselves with the Sunshine Ordinance.

10. **Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing.**

There were no speakers. **There was consensus to move the item to the end of the agenda.**

11. **File No. 11083:** The Compliance and Amendments Committee has referred File No. 11083, Ray Hartz, Jr. against the Public Library, back to the Task Force for further action including a recommendation to the Ethics Commission.

Ray Hartz, Jr. (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. There were no speakers in support of the Complainant. Louis Herrera (Respondent) Public Library provided an overview of the Agency's defense, responded to question raised throughout the discussion, and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Complainant and Respondent responded to questions raised throughout the discussion.

Member Knee, seconded by Member Hyland, moved REFER TO BOARD OF SUPERVISORS and to find the Public Library in violation of Sunshine Ordinance Sections 67.25(a) and 67.21(c) based on failure to provide documents regarding the $5.1 million.

It was recommended by Member Washburn that the letter to the Board Supervisors discuss 67.29-7 (a) and (b) as they pertain to the Library not maintaining correspondence and records.

Speakers: Peter Warfield, expressed concern for library withholding information; Bruce Wolf, expressed that the Sunshine Ordinance supersedes local laws and suggested questions to ask Respondent.

The motion PASSED by the following vote:
Ayes: 9 - Knee, Manneh, Washburn, Sims, David, Hyland, Oka, Fischer, Grant
Noe: 1 - Pilpel

Member Fischer, seconded by Member David, moved to ADJOURN the meeting

The motion FAILED by the following vote:
Ayes: 1 - David
Noes: 9 – Knee, Manneh, Washburn, Pilpel, Hyland, Oka, Fischer, Grant

RECESS
8:35 *p.m.* – 8:45 *p.m.*

12. **File No. 11089:** Complaint filed by Robb Birkhead against the City Attorney's Office for allegedly withholding documents.

No speakers. **There was consensus to CONTINUE the item to December 5, 2012.**

13. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(attachment)*

No speakers. **There was consensus to CONTINUE the item to December 5, 2012.**

14. **File No. 12013:** Complaint filed by William Clark against Howard Lazar, Arts Commission for allegedly not providing documents of expenses charged to the Street Artist Program for FY 2010-2011.

Member Knee, seconded by Member Manneh, moved to find jurisdiction

There were no speakers. **The motion PASSED without objection.**

William Clark (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. Kate Patterson (Respondent), Arts Commission, provided and overview of the Arts Commission's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent declined rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Knee, seconded by Member Manneh, moved to find the Arts Commission in violation of Sunshine Ordinance Sections 67.21(b) and 67.26 for failure to provide complete information as requested and to keep withholding to a minimum; and to refer to Compliance and Amendments Committee.

Speakers: Bruce Wolfe expressed concern with the motion being sent to the Compliance and Amendments Committee; Robert Clark, spoke against the motion; Ray Hartz, spoke opposing the motion.

The motion PASSED by the following vote:
Ayes: 5 – Knee, Manneh, Washburn, Hyland, Oka
Noes: 3 – Pilpel, Sims, Grant
Absent: 2 – David, Fischer

Member Pilpel, seconded by Member Sims, moved to request that the City Attorney provide a complete itemized billing statement within 10 calendar days.

The motion FAILED by the following vote:
Ayes: 2 – Pilpel, Sims
Noes: 6 – Knee, Manneh, Washburn, Hyland, Oka, Grant
Absent: 2 – David, Fischer

15. **File No. 12014:** Complaint filed by William Clark against Tom DeCaigny, Arts Commission for allegedly not providing an itemized list of expenditures for the Street Artist Program FY 2012-2013 budget.

Member Washburn, seconded by Member Manneh, moved to find jurisdiction

There were no speakers. **The motion PASSED without objection.**

William Clark (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. Kate Patterson (Respondent), Arts Commission, provided and overview of the Arts Commission's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent declined rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Due to lack of a motion, the Task Force FOUND NO VIOLATION.

The Matter was CONCLUDED

16. **File No. 12017:** Complaint filed by Ray Hartz, Jr. against Supervisor David Campos, Board of Supervisors for allegedly participating in the operation of the Bernal Library Art Project, violating the rights of citizens.

Member Knee, seconded by Member Pilpel, moved to find jurisdiction

Speakers: Doug Comstock said the item is within jurisdiction; Peter Warfield said the item is within jurisdiction.

The motion PASSED by the following vote:
Ayes: 7 – Knee, Manneh, Washburn, Sims, Hyland, Oka, Grant
Noes: 1 – Pilpel
Absent: 2 – David, Fischer

Ray Hartz, Jr. (Complainant) provided an overview of the complaint, responded to questions raise throughout the discussion and further requested the Task Force to find violations. There were no speakers in support of the Complainant. Supervisor David Campos (Respondent), Board of Supervisors, provided and overview of his Office's defense and responded to question raised throughout the discussion, and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent declined rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Speakers: Peter Warfield expressed that Respondent is misinformed on which agency removed the mural; Doug Comstock expressed concern of passive meeting body language.

Due to lack of a motion, the Task Force FOUND NO VIOLATION.

The Matter was CONCLUDED.

17. **Report: Education Outreach and Training Committee meeting of May 10, 2012.**

Member Knee, seconded by Member Manneh, moved to CONTINUE items 17 - 19 to December 5, 2013.

Speakers: None.

The motion PASSED without objection.

18. **Report: Compliance and Amendments Committee meeting of May 15, 2012.**

Member Knee, seconded by Member Manneh, moved to CONTINUE items 17 - 19 to December 5, 2013.

Speakers: None.

The motion PASSED without objection.

19. **Administrator's Report.**

Member Knee, seconded by Member Manneh, moved to CONTINUE items 17 - 19 to December 5, 2013.

Speakers: None.

The motion PASSED without objection.

20. **Announcements, Comments, Questions, and Future Agenda Items.**

There were none.

21. **ADJOURNMENT**

Member Pilpel, seconded by Member Knee, moved to ADJOURN.

Speakers: None. **The motion PASSED without objection.**

There being no further business, the Task Force adjourned at the hour of 11:35 p.m.

APPROVED: May 1, 2013

A. Ausberry

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT
NOV 29 201
SAN FRANCISCO
PUBLIC LIBRARY

December 5, 2012 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	(Vacant)	Seat 8	Todd David
Seat 2	Richard Knee (Hold Over)	Seat 9	Chris Hyland
Seat 3	Kitt Grant	Seat 10	Louise Fischer
Seat 4	Suzanne Manneh (Hold Over)	Seat 11	Bruce Oka
Seat 5	Allyson Washburn (Hold Over)		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	(Vacant)

2. **Election of Chair - Election of Officers; per Article II, Section 3 of the By-Laws:** "The Officers shall be elected at the first regular meeting of the Task Force held on or before July 1 of each year, or at a subsequent meeting, the date of which shall be fixed by the Task Force at the first regular meeting on or after July 1 of each year. If any Task Force office becomes vacant, that office shall be filled at the first meeting after the vacancy occurs." *(approximately 10 minutes)* (Discussion and Action)

3. **File No. 11098:** The Compliance and Amendments Committee has referred File No. 11098, Ray Hartz, Jr. against Luis Herrera, City Librarian, back to the Task Force for further action including a recommendation to the Ethics Commission. *(approximately 15 minutes) (Discussion and Action) (attachment)*

4. **File No. 12001:** The Compliance and Amendments Committee has referred File No. 12001, the Library Users Association against the Arts Commission, back to the Task Force for further action including a recommendation to the Ethics Commission. *(approximately 15 minutes) (Discussion and Action) (attachment)*

5. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

6. **File No. 11089:** Complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Bobb Birkhead against the City Attorney's Office for allegedly withholding documents. *(approximately 30 minutes)* (Discussion and Action)

7. **File No. 11090:** Complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format. *(approximately 30 minutes)* (Discussion and Action)

8. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage. *(approximately 30 minutes) (Discussion and Action)*

9. **File No. 12018:** Complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police for allegedly responding to an Immediate Disclosure Request late, incompletely, and unlawfully. *(approximately 30 minutes) (Discussion and Action)*

10. **Sunshine Ordinance Task Force Bylaws.** Proposal to change the definition of the majority required for voting to take action on substantive matters before the Task Force. *(approximately 15 minutes)* (Discussion and Action) *(attachment)*

    Article IV - Meetings
    Section 7. Action at a Meeting; Quorum and Required Vote
    The presence of a majority of the members (six members) of the Task Force shall constitute a quorum for all purposes. The affirmative vote of a majority of the members of the Task Force ~~present~~ (six votes) shall be required for the approval of all substantive matters. Procedural motions require an affirmative vote of a majority of the members present. If a quorum is not present, no official action may be taken, except roll call and adjournment.

11. Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing. *(approximately 10 minutes)* (Discussion and Action)

12. **Approval of Minutes from the May 2, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

13. **Approval of Minutes from the June 6, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action)

14. **Approval of Minutes from the July 11, 2012, Special Meeting.** *(approximately 5 minutes)* (Action)

15. **Report: Education Outreach and Training Committee meeting of May 10, 2012.** *(approximately 5 minutes)* (Discussion)

16. **Report: Compliance and Amendments Committee meetings of May 15, 2012 and November 20, 2012.** *(approximately 5 minutes)* (Discussion)

17. **Administrator's Report.** *(approximately 5 minutes)* (Discussion)

18. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes)* (Discussion and Action)

19. **ADJOURNMENT**

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Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
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6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
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MAY 24 2016
SAN FRANCISCO
PUBLIC LIBRARY

December 5, 2012 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **Call to Order, Roll Call, and Agenda Changes.**

The meeting was called to order at 4:06 p.m. Members Sims, David, Oka, and Fischer were noted absent. There was a quorum. Member Sims was noted present at 4:14 p.m. Member Oka was noted present at 4:21 p.m. Member Fischer was noted present at 4:43 p.m.

Member Knee, seconded by Member Pilpel, moved to Excuse Member David.

Speakers: Jason Grant Garza expressed concern that only six members were present; Ray Hartz, Jr., expressed concern about the absence of members; Paula Datesh expressed appreciation for the work of the Task Force; Allen Grossman offered clarification of excused versus an absence of a member of the Task Force; male speaker expressed concern regarding members' absences.

The motion PASSSED without objection.

Chair Grant announced that File No. 11090,Patrick Monette-Shaw vs. the Controller's Office (Item No. 7), was resolved between the Complainant and Respondent.

Chair Grant called all Complainants and Respondents present for hearing on the agenda.

Speakers: Roberta Boomer, Municipal Transportation Agency Commission Secretary, e expressed concern about Complainant of File No. 12005 continuously not showing for hearings before the Task Force; Jason Grant Garza expressed concern on the order of agenda items.

2. **Election of Chair - Election of Officers; per Article II, Section 3 of the By-Laws.**

Member Pilpel, seconded by Member Washburn, moved to elect Member Grant as the Chair of the Task Force.

Speakers: Jason Grant Garza opposed having the election; Allen Grossman expressed concern on election proceedings; Peter Warfield expressed concern on election proceedings; Ray Hartz, Jr., expressed concern on election proceedings.

The motion PASSED by the following vote:
Ayes: 8 - Knee, Manneh, Washburn, Pilpel, Sims, Hyland, Oka, Grant
Excused: 1 - David
Absent: 1 - Fischer

3. **File No. 11098:** The Compliance and Amendments Committee has referred File No. 11098, Ray Hartz, Jr. against Luis Herrera, City Librarian, back to the Task Force for further action including a recommendation to the Ethics Commission.

Ray Hartz, Jr., (Complainant) provided an overview of the complaint, findings and follow-up, and requested the Task Force to find further violations of the Sunshine Ordinance. Jason Grant Garza spoke in support of the Complainant. A question and answer period followed. Complainant responded to questions and again requested the Task Force to find further violations. Sue Blackman, Library Commission Secretary (Respondent), provided an overview of the Library's defense and follow-up. There were no speakers in support of the Respondent. A question and answer period followed. Respondent waived their opportunity for rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Speakers: Allen Grossman expressed support for the Complainant; Peter Warfield spoke in support of the Complainant.

Member Knee, seconded by Member Washburn, moved to refer Luis Herrera, City Librarian to the Ethics Commission for failure to comply with the Order of Determination, for violating Sections 67.16 for failure to include Mr. Hartz's public comment summaries in the Library Commission's minutes and 67.34 for willful failure to comply with the Order of Determination.

The motion PASSED by the following vote:
Ayes: 8 - Knee, Manneh, Washburn, Sims, Hyland, Oka, Fischer, Grant
Noes: 1 - Pilpel
Excused: 1 - David

Recess
5:50 p.m. – 6:05 p.m.

4. **File No. 12001:** The Compliance and Amendments Committee has referred File No. 12001, the Library Users Association against the Arts Commission, back to the Task Force for further action including a recommendation to the Ethics.

Peter Warfield (Complainant) provided an overview of the complaint, findings, follow-up, and requested the Task Force to find further violations of the Sunshine Ordinance. There were no speakers in support of the Complainant. A question and answer period followed. Kate Patterson, Arts Commission (Respondent), provided an overview of the Arts Commission's defense and follow-up. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal and again requested the Task Force to find violation.

Speakers: Paula Datesh expressed she also has experienced her public comments not being added to the Arts Commission's minutes; Ray Hartz expressed concern with the Arts Commission violating the public's right of public comment and statements made by Commissioners of the Arts Commission which support his allegation; Allen Grossman expressed concern with the term "willful" in the violation.

Member Knee, seconded by Member Manneh, moved to refer the Arts Commission to the Ethics Commission for failure to comply with the Order of Determination, for violating Sections 67.25(a) for failure to respond to the immediate disclosure request in a timely manner, 67.26 for failure to keep withholding to a minimum by improperly redacting the information from the speaker cards, and 67.34 for willful failure to comply with the Order of Determination.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Manneh, Washburn, Sims, Hyland, Oka, Grant
Noes: 2 – Pilpel, Fischer
Excused: 1 - David

5. **Public Comment**:

Speakers: Jason Grant Garza spoke about the rulings on his previous cases; Paula Datesh asked the Task Force to give her complaint priority due to having to reside on the East Coast; Ray Hartz Jr., expressed concern on agencies that repeatedly violate the Sunshine Ordinance; Allen Grossman expressed concern on backlog of complaints and complaints not being heard within 45 days according to complaint process; Peter Warfield expressed concern on pending complaints and backlog.

6. **File No. 11089:** Complaint filed by Robb Birkhead against the City Attorney's Office for allegedly withholding documents.

Member Knee, seconded Member Sims, moved to close File No. 11089 with the option to refile, due to the Complainant not showing for the second time the hearing was scheduled.

There were no speakers. **The motion PASSED without objection.**

7. **File No. 11090:** Complaint filed by Patrick Monette-Shaw against the Controller's Office for not providing data in a requested format.

File No. 11090 was resolved and closed by the Complainant.

8. **File No. 12005:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage.

Member Knee, seconded Member Oka moved to close File No. 12005 with the option to refile, due to the Complainant not showing for the second time the hearing was scheduled.

Speaker: Peter Warfield expressed concern that a mechanism is placed in a complaint that it may be closed.

The motion PASSED by the following vote:
Ayes: 6 - Knee, Manneh, Sims, Oka, Fischer, Grant
Noes: 3 – Washburn, Pilpel, Hyland
Excused: 1 - David

9. **File No. 12018:** Complaint filed by Ray Hartz, Jr. against Greg Suhr, Chief of Police, for allegedly responding to an Immediate Disclosure Request late, incompletely and unlawfully.

Member Knee, seconded by Member Manneh, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

Ray Hartz, Jr., (Complainant) presented the complaint and requested the Task Force to find violation of the Sunshine Ordinance. There were no speakers in support of the Complainant. Sgt. Richard Goss, Police Department (Respondent), presented the Department's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent waived his opportunity for rebuttal. Complainant provided a rebuttal and again requested the Task Force to find violation.

Speakers: Allen Grossman spoke in support of the Complainant; Peter Warfield expressed that there is no such thing as an inappropriate IDR.

Member Knee, seconded by Member Washburn, moved to find violation of Sunshine Ordinance Section 67.25(a) based on the Police Department's failure to respond in a timely matter; and referral to Education, Outreach and Training Committee.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Manneh, Washburn, Pilpel, Hyland, Oka, Fischer,
Noes: 2 – Sims, Grant
Excused: 1 - David

Recess
7:55 p.m. – 8:10 p.m.

10. **Sunshine Ordinance Task Force Bylaws.** Proposal to change the definition of the majority required for voting to take action on substantive matters before the Task Force.

Member Pilpel, seconded by Member Oka moved to accept the amendment of the definition of majority required for voting to take action.

Amendment
12/5/12 – AMENDED Article IV – Meetings, Section 7, Line 4, deleting 'present'

Speakers: Allen Grossman spoke to his memorandum advising the Task Force Members on the bylaw amendment; Peter Warfield expressed concern for 10-day notice requirement of bylaws.

The motion PASSED by the following vote:
Ayes: 8 - Knee, Manneh, Sims, Oka, Pilpel, Hyland Fischer, Grant
No: 1 – Washburn,
Excused: 1 - David

11. Review of outcomes from Joint Sunshine Ordinance Task Force and Ethics Commission Hearing.

Member Knee summarized outcomes and updated the members on the outcomes of the Ethics Commission's newly approved recommendations. Member Pilpel suggested the Task Force wait until the Ethics Commission hears pending Task Force referrals before the Task Force reschedules a follow-up meeting with the Ethics Commission.

No Motion Made.

Speaker: Peter Warfield expressed concern over Ethics Commission's opposition to recording closed sessions.

12. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

Member Knee, seconded by Washburn, moved to CONTINUE to the CALL of the CHAIR.

Speaker: Peter Warfield expressed concern about the motion to continue the minutes.

The motion PASSED without objection.

13. **Approval of Minutes from the June 6, 2012, Regular Meeting**

Member Knee, seconded by Washburn, moved to CONTINUE to the CALL of the CHAIR.

Speaker: Peter Warfield expressed concern about the motion to continue the minutes.

The motion PASSED without objection.

14. **Approval of Minutes from the July 11, 2012, Special Meeting.**

Member Knee, seconded by Washburn, moved to CONTINUE to the CALL of the CHAIR.

Speaker: Peter Warfield expressed concern about the motion to continue the minutes.

The motion PASSED without objection.

15. **Report: Education Outreach and Training Committee meeting of May 10, 2012.**

Report was given by Member Manneh on the May 10, 2012, meeting on behalf of the Education Outreach and Training Committee.

Speaker: Peter Warfield made a recommendation to provide a report of actions of Task Force committees.

16. **Report: Compliance and Amendments Committee meetings of May 15, 2012 and November 20, 2012.**

Report was given by Member Washburn, Chair of the Compliance and Amendments Committee, on the May 15, 2012, and November 20, 2012, meetings on behalf of the Compliance and Amendments Committee.

Speaker: Peter Warfield expressed concern on the backlog of complaints and effects of complaints not being heard in a timely matter.

17. **Administrator's Report.**

Report was given Andrea Ausberry, Sunshine Ordinance Task Force Administrator, on behalf of the Sunshine Ordinance Task Force Office.

Speaker: Peter Warfield expressed appreciation for improvement of Administrator's Report.

18. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Knee shared updates to City and State Laws.

Speaker: Peter Warfield expressed concern on upcoming meetings due to the holidays.

19. **ADJOURNMENT.**

Member Knee, seconded by Member Hyland, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Task Force adjourned at 9:23 p.m.

APPROVED: May 1, 2013

A Ausberry

Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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DEC - 7 2012

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PUBLIC LIBRARY

December 12, 2012 – 5:00 PM

Special Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	(Vacant)	Seat 8	Todd David
Seat 2	Richard Knee (Hold Over)	Seat 9	Chris Hyland
Seat 3	Kitt Grant	Seat 10	Louise Fischer
Seat 4	Suzanne Manneh (Hold Over)	Seat 11	Bruce Oka
Seat 5	Allyson Washburn (Hold Over)		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	(Vacant)

2. **File No. 12019:** Complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural. *(approximately 30 minutes) (Discussion and Action)*

3. **File No. 12021:** Complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks. *(approximately 30 minutes) (Discussion and Action)*

4. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action)

5. **File No. 12022:** Complaint filed by Leo McFadden against the Department of Building Inspection for allegedly denying access to Freedom of Information Act records. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Leo McFadden against the Department of Building Inspection for allegedly denying access to Freedom of Information Act records. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Leo McFadden against the Department of Building Inspection for allegedly denying access to Freedom of Information Act records. *(approximately 30 minutes) (Discussion and Action)*

6. **File No. 12024:** Complaint filed by Anonymous v Dennis Herrera, City Attorney for allegedly submitting amendments to Land Use and Economic Development Committee that were in violation of the law. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous v Dennis Herrera, City Attorney for allegedly submitting amendments to Land Use and Economic Development Committee that were in violation of the law. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous v Dennis Herrera, City Attorney for allegedly submitting amendments to Land Use and Economic Development Committee that were in violation of the law. *(approximately 30 minutes) (Discussion and Action)*

7. **File No. 12025:** Complaint filed by Anonymous v Michael Yarne, Office of Economic and Workforce Development, Project Manager Parkmerced Development Project for allegedly not providing sources of outside funding. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous v Michael Yarne, Office of Economic and Workforce Development, Project Manager Parkmerced Development Project for allegedly not providing sources of outside funding. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous v Michael Yarne, Office of Economic and Workforce Development, Project Manager Parkmerced Development Project for allegedly not providing sources of outside funding. *(approximately 30 minutes) (Discussion and Action)*

8. **File No. 12026:** Complaint filed by Anonymous v Municipal Transportation Agency, Board of Directors and Peter Albert, Jessica Manzi and Matt Lasky, Municipal Transportation Agency for allegedly not providing sources of outside funding. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous v Municipal Transportation Agency, Board of Directors and Peter Albert, Jessica Manzi and Matt Lasky, Municipal Transportation Agency for allegedly not providing sources of outside funding. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous v Municipal Transportation Agency, Board of Directors and Peter Albert, Jessica Manzi and Matt Lasky, Municipal Transportation Agency for allegedly not providing sources of outside funding. *(approximately 30 minutes) (Discussion and Action)*

9. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes)* (Discussion and Action)

10. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these document, please contact SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

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Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

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2.	City responds	5 minutes
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4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
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7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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PUBLIC LIBRARY

December 12, 2012 – 5:00 PM

Special Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **Call to Order, Roll Call, and Agenda Changes.**

The meeting was called to order at 5:07 p.m. Members Washburn, Sims, Oka and Fischer were noted absent. There was a quorum. Member Sims was noted present at 5:18 p.m. Member Fischer was noted present at 5:42 p.m.

Member Knee, seconded by Member Pilpel, moved to Excuse Member Washburn.

There were no Speakers.

The motion PASSSED without objection.

Chair Grant indicated a request that File No. 12019 – Library Users Association v the Arts Commission (Item No. 2) be continued by the Complainant. Chair Grant announced that File No. 12021 – Larry Littlejohn v Bill Ahern, Medical Examiner was resolved between the Complainant and Respondent. Chair Grant announced that File Nos. 12024 – 12026 (Items 6 – 8) were withdrawn by the Complainant.

2. **File No. 12019:** Complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural.

Peter Warfield (Complainant) provided an overview of the reasoning for his request for continuance. Kate Patterson, Arts Commission (Respondent) expressed opposition to the continuance of the hearing.

Celia Lee, Interim Sunshine Ordinance Task Force Attorney, expressed that the agenda item as it is written is for administrative purposes and does not affect the item from being heard.

Member Knee, seconded by Member Hyland, moved to CONTINUE Complaint No. 12019 to its January meeting.

Speakers: Paula Datesh expressed that the Arts Commission is not knowledgeable of the Sunshine Ordinance.

The motion PASSED by the following vote:
Ayes: 8 - Knee, Manneh, Pilpel, Sims, David, Hyland, Fischer, Grant
Excused: 1 - Washburn
Absent: 1 - Oka

3. **File No. 12021:** Complaint filed by Larry Littlejohn against Bill Ahern, Medical Examiner for allegedly not providing Medical Examiner logbooks.

Chair Grant indicated the File No. 12021 was resolved.

TABLED BY OPERATION OF LAW.

4. **Public Comment.**

Speakers: Paula Datesh expressed concern with the operations of the Arts Commission pertaining to the public and fellow street artist; Peter Warfield expressed concern with the Sunshine Ordinance Task Force's complaint procedures.

5. **File No. 12022:** Complaint filed by Leo McFadden against the Department of Building Inspection for allegedly denying access to Freedom of Information Act records.

Member Knee, seconded by Member Sims, moved to find jurisdiction.

There were no speakers.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Manneh, Sims, David, Hyland, Fischer, Grant
Noes: 1- Pilpel
Excused: 1 - Washburn
Absent: 1 - Oka

Leo McFadden (Complainant) provided an overview of the complaint and further requested the Task Force to find violation. There were no speakers in support of the Complainant. Carla Johnson, former employee Department of Building Inspection and Bill Strawn, Department of Building Inspection (Respondents), provided an overview of the Department's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Due to lack of a motion, the Task Force FOUND NO VIOLATION.

6. **File No. 12024:** Complaint filed by Anonymous v Dennis Herrera, City Attorney for allegedly submitting amendments to Land Use and Economic Development Committee that were in violation of the law.

   Chair Grant indicated the File No. 12024 was withdrawn.

   TABLED BY OPERATION OF LAW.

7. **File No. 12025:** Complaint filed by Anonymous v Michael Yarne, Office of Economic and Workforce Development, Project Manager Parkmerced Development Project for allegedly not providing sources of outside funding.

   Chair Grant indicated the File No. 12025 was withdrawn.

   TABLED BY OPERATION OF LAW.

8. **File No. 12026:** Complaint filed by Anonymous v Municipal Transportation Agency, Board of Directors and Peter Albert, Jessica Manzi and Matt Lasky, Municipal Transportation Agency for allegedly not providing sources of outside funding.

   Chair Grant indicated the File No. 12026 was withdrawn.

   TABLED BY OPERATION OF LAW.

9. **Announcements, Comments, Questions, and Future Agenda Items.**

   Chair Grant announced that the regular January meeting of the Task Force will be cancelled and the Administrator is working with Building Management to reserve a hearing room for the weeks of January 6th and 13th for a special meeting.

   Member Knee expressed that the Task Force's Chair and committee Chairs must start their reports for submission for the annual report.

   Speaker: Peter Warfield expressed concern for a work plan for the Task Force.

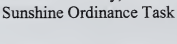
10. **ADJOURNMENT.**

    Member Knee, seconded by Member Manneh, moved to ADJOURN.

    There were no speakers. **The motion PASSED without objection.**

    There being no further business, the Task Force adjourned at the hour of 6:41 p.m.

APPROVED: May 1, 2013



Andrea Ausberry, Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE
TASK FORCE

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-7724
Fax No. (415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Sunshine Ordinance Task Force scheduled for January 2, 2013, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

POSTED: December 20, 2012

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
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JAN - 7 2013

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January 16, 2013 – 5:30 PM

Special Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	(Vacant)	Seat 8	Todd David
Seat 2	Richard Knee (Hold Over)	Seat 9	Chris Hyland
Seat 3	Kitt Grant	Seat 10	Louise Fischer
Seat 4	Suzanne Manneh (Hold Over)	Seat 11	Bruce Oka
Seat 5	Allyson Washburn (Hold Over)		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	(Vacant)

2. **File No. 12007:** The Compliance and Amendments Committee has referred File No. 12007, the Library Users Association against Supervisor Campos for allegedly responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately. *(approximately 15 minutes) (Discussion and Action) (attachment)*

3. **File No. 12019:** Complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural and others. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural and others. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by the Library Users Association against the Arts Commission for allegedly redacting contact information from supporters of retention of the Bernal Heights Branch Library, Victor Jara multi-cultural historic mural and others. *(approximately 30 minutes) (Discussion and Action)*

4. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

5. **File No. 12027:** Complaint filed by the San Francisco Preservation Consortium against the Office of Supervisor Wiener for alleged non-Compliance with the City Charter, the Sunshine Ordinance, the Public Records Act, and the Brown Act of proposed amendments to Articles 10 and11 of the Planning Code. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by the San Francisco Preservation Consortium against the Office of Supervisor Wiener for alleged non-Compliance with the City Charter, the Sunshine Ordinance, the Public Records Act, and the Brown Act of proposed amendments to Articles 10 and11 of the Planning Code. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by the San Francisco Preservation Consortium against the Office of Supervisor Wiener for alleged non-Compliance with the City Charter, the Sunshine Ordinance, the Public Records Act, and the Brown Act of proposed amendments to Articles 10 and11 of the Planning Code. *(approximately 30 minutes)* (Discussion and Action)

6. **File No. 12030:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage from an incident on March 29, 2012, on Muni Bus No. 8157, 9 San Bruno. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage from an incident on March 29, 2012, on Muni Bus No. 8157, 9 San Bruno. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage from an incident on March 29, 2012, on Muni Bus No. 8157, 9 San Bruno. *(approximately 30 minutes)* (Discussion and Action)

7. **File No. 12032:** Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary, a complaint filed by Mike Addario in 2009, Street Artist, and procedures to obtain a street artist permit. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary a complaint filed by Mike Addario in 2009, Street Artist, and procedures to obtain a street artist permit. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell,

former Arts Commission Secretary, a complaint filed by Mike Addario in 2009, Street Artist, and procedures to obtain a street artist permit. *(approximately 30 minutes) (Discussion and Action)*

8. **File No. 12034:** Complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects. *(approximately 30 minutes) (Discussion and Action)*

9. **Approval of Minutes from the December 12, 2012, Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

10. **Approval of Minutes from the December 5, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

11. **Approval of Minutes from the November 7, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

12. **Approval of Minutes from the July 11, 2012, Special Meeting.** *(approximately 5 minutes)* (Action)

13. **Approval of Minutes from the June 6, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action)

14. **Approval of Minutes from the May 2, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

15. **Report: Education Outreach and Training Committee meeting of December 13, 2012**. *(approximately 5 minutes)* (Discussion)

16. **Administrator's Report.** *(approximately 5 minutes)* (Discussion)

17. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes)* (Discussion and Action)

18. **ADJOURNMENT**

Agenda Item Information

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Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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January 16, 2013 – 5:30 PM

Special Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice Chair), Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 5:38 p.m. Members Manneh, Pilpel, and Hyland were noted absent. There was a quorum.

Member Knee, seconded by Member Sims, moved to excuse Members, Manneh, Pilpel, and Hyland.

Public Comment:
Peter Warfield expressed opposition with excuse of member absences.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

2. **File No. 12007:** The Compliance and Amendments Committee has referred File No. 12007, the Library Users Association against Supervisor Campos for allegedly responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.

Peter Warfield, (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find violations. Female Speaker spoke in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Supervisor Campos (Respondent) provided an overview of the Office of Supervisor Campos' defense and follow-up. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violations.

Public Comment:
None.

Member Washburn, seconded by Member Fischer, moved to refer the matter to the Education, Outreach and Training Committee.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

3. **File No. 12019:** Complaint filed by the Library Users Association against the Arts Commission for allegedly inappropriate redactions of contact information from supporters of retention of the existing Bernal Heights Branch Library, Victor Jara multi-cultural mural and others, from information provided to Library Users Association.

Member Knee, seconded by Member David, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

Peter Warfield (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Kate Patterson, Arts Commission (Respondent), provided an overview of the Arts Commission's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Public Comment:
Paula Datesh spoke in support of the Complainant; Cynthia expressed that emails should be provided to the Complainant.

Member Knee, seconded by Member Washburn, moved to find violation of Sunshine Ordinance Section 67.26 for failure to keep withholding to a minimum for unauthorized request of redactions; Arts Commission to provide documents unredacted.

The motion FAILED by the following vote:
Ayes: 4 - Knee, Washburn, Sims, Oka
Noes: 3 – David, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

Recess
7:10 p.m. –7:20 p.m.

4. **Public Comment:**

Peter Warfield expressed concern with Task Force Member's attendance and the current vacancies.

5. **File No. 12027:** Complaint filed by the San Francisco Preservation Consortium against the Office of Supervisor Wiener for alleged non-Compliance with the City Charter, the Sunshine Ordinance, the Public Records Act, and the Brown Act of proposed amendments to Articles 10 and 11 of the Planning Code.

Member Knee, seconded by Member Oka, moved to find jurisdiction.

Andres Power, Respondent contested jurisdiction, citing the City Charter.

Public Comment:
Peter Warfield expressed that the Task Force has broad jurisdiction to advise the Board of Supervisors.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

Cynthia Servetnick (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Andres Power, Office of Supervisor Wiener (Respondent), provided an overview of the Office of Supervisor Wiener's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Public Comment:
Paula Datesh spoke in support of the Complainant.

Member Knee, seconded by Member Oka, moved to find violation of Sunshine Ordinance Section 67.21(b) for failure to observe 10-day window for records requests.

The motion FAILED by the following vote:
Ayes: 3 - Knee, Washburn, Oka,
Noes: 4 – Sims, David, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

6. **File No. 12030:** Complaint filed by Anonymous against the Municipal Transportation Agency for allegedly not providing camera footage from an incident on March 29, 2012, on Muni Bus No. 8157, 9 San Bruno.

Member Sims, seconded by Member David, moved to close File No. 12030 with the option to re-file, due to the Complainant not showing for the second time the hearing was scheduled.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

7. **File No. 12032:** Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary.

Member Knee, seconded by Oka, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

Paula Datesh (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Kate Patterson (Respondent) provided an overview of the Arts Commission's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Public Comment:
Peter Warfield expressed concern with the character flaws made by the Arts Commission.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

8. **File No. 12034:** Complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects.

Member Knee, seconded by Washburn, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

Anonymous (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Debbie

Brubaker, Film Commissioner (Respondent) provided an overview of the Film Commission's defense and further requested the Task Force to dismiss the complaint. Male Speaker and Amy, former Oakland Film Commissioner spoke in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Public Comment:
None.

Member David, seconded by Member Knee, moved to CONTINUE File No. 12034 to February 6, 2013, meeting allowing the Complainant to obtain emails between Susannah Greason Robbins, Executive Director Film Commission and Debbie Brubaker, Film Commissioner using the Task Administrator as a liaison.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

9. **Approval of Minutes from the December 12, 2012, Special Meeting.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:
Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

10. **Approval of Minutes from the December 5, 2012, Regular Meeting.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:
Peter Warfield expressed concern with detail of speaker's comments in the minutes.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

11. **Approval of Minutes from the November 7, 2012, Regular Meeting.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:
Peter Warfield expressed concern with detail of speaker's comments in the minutes.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

12. **Approval of Minutes from the July 11, 2012, Special Meeting.**
Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:
Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

13. **Approval of Minutes from the June 6, 2012, Regular Meeting.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:
Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

14. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:
Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

15. **Report: Education Outreach and Training Committee meeting of December 13, 2012.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:
Peter Warfield expressed concern with the detail of speaker's comments in the minutes.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

16. **Administrator's Report.**

Member Oka, seconded by Member Fischer, moved to CONTINUE Items 9 through 16 to the February 6, 2013 meeting.

Public Comment:
Peter Warfield expressed concern with detail of speaker's comments in the minutes.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, David, Oka, Fischer, Grant
Excused: 3 – Manneh, Pilpel, Hyland

17. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Knee announced, he would be undergoing surgery and will not be in attendance for the February 6, 2013 meeting.

Public Comment:
Peter Warfield wished Member Knee a speedy recovery.

18. **ADJOURNMENT**

Member Knee, seconded by Member Fischer, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Task Force adjourned at the hour of 10:13 p.m.

APPROVED: August 7, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
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February 6, 2013 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	(Vacant)	Seat 8	Todd David
Seat 2	Richard Knee (Hold Over)	Seat 9	Chris Hyland
Seat 3	Kitt Grant	Seat 10	Louise Fischer
Seat 4	Suzanne Manneh (Hold Over)	Seat 11	Bruce Oka
Seat 5	Allyson Washburn (Hold Over)		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	(Vacant)

2. **File No. 11068:** The Compliance and Amendments Committee has referred File No. 11068, Anonymous against the Planning Department, back to the Task Force for further action including a recommendation to the Ethics Commission. *(approximately 15 minutes) (Discussion and Action) (attachment)*

3. **File No. 12034:** Complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects. *(approximately 30 minutes) (Discussion and Action)*

4. **File No. 12038:** Complaint filed by William Clark against Ben Rosenfield, Controller for allegedly not providing legal authorities supporting that the Arts Commission can legally exceed amount budgeted to Street Artist Program and spend the surplus without an approved supplemental appropriation ordinance. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by William Clark against Ben Rosenfield, Controller for allegedly not providing legal authorities supporting that the Arts Commission can legally exceed amount budgeted to Street Artist Program and spend the surplus without an approved supplemental appropriation ordinance. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by William Clark against Ben Rosenfield, Controller for allegedly not providing legal authorities supporting that the Arts Commission can legally exceed amount budgeted to Street Artist Program and spend the surplus without an approved supplemental appropriation ordinance. *(approximately 30 minutes) (Discussion and Action)*

5. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

6. **File No. 12039:** Complaint filed by William Clark against Monique Zmuda, Assistant Controller for allegedly not providing a response regarding Arts Commission and Street Artist funds in the 1990's, FY 2009-2010, and FY 2010-2011. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by William Clark against Monique Zmuda, Assistant Controller for allegedly not providing a response regarding Arts Commission and Street Artist funds in the 1990's, FY 2009-2010, and FY 2010-2011. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by William Clark against Monique Zmuda, Assistant Controller for allegedly not providing a response regarding Arts Commission and Street Artist funds in the 1990's, FY 2009-2010, and FY 2010-2011. *(approximately 30 minutes) (Discussion and Action)*

7. **File No. 12040:** Complaint filed by Anonymous against the Robert Collins, Deputy Director, Rent Board for allegedly denying a request for reasonable accommodation of Rent Board Commission meetings. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against the Robert Collins, Deputy Director, Rent Board for allegedly denying a request for reasonable accommodation of Rent Board Commission meetings. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against the Robert Collins, Deputy Director, Rent Board for allegedly denying a request for reasonable accommodation of Rent Board Commission meetings. *(approximately 30 minutes) (Discussion and Action)*

8. **File No. 12041:** Complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(approximately 30 minutes) (Discussion and Action)*

9. **File No. 12042:** Complaint filed by Anonymous against Lupe Arreola, Discrimination Investigator, Human Rights Commission for allegedly not providing the determination of a Human Rights Commission complaint. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(approximately 30 minutes) (Discussion and Action)*

10. **Approval of Minutes from the January 16, 2013 Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

11. **Approval of Minutes from the December 12, 2012, Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

12. **Approval of Minutes from the December 5, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

13. **Approval of Minutes from the November 7, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

14. **Approval of Minutes from the July 11, 2012, Special Meeting.** *(approximately 5 minutes)* (Action)

15. **Approval of Minutes from the June 6, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action)

16. **Approval of Minutes from the May 2, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

17. **Report: Education Outreach and Training Committee meeting of December 13, 2012**. *(approximately 5 minutes)* (Discussion)

18. **Report: Compliance and Amendments Committee meeting of January 15, 2013**. *(approximately 5 minutes)* (Discussion)

19. **Administrator's Report.** *(approximately 5 minutes)* (Discussion)

20. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes)* (Discussion and Action)

21. **ADJOURNMENT**

Agenda Item Information

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Public Comment

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Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

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Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
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San Francisco, CA 94102-4689

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February 6, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:13 p.m. Members Knee, Pilpel and Sims were noted absent. There was a quorum. Member Sims was noted present at 4:42 p.m.

Member Washburn, seconded by Member Oka, moved to Excuse Members Knee and Pilpel.

The motion PASSED by the following vote:
Ayes: 7 - Manneh, Washburn, David, Hyland, Oka, Fischer, Grant
Excused: 2 – Knee, Pilpel
Absent: 1 – Sims

Chair Grant announced a request for File Nos. 12040, 12041 and 12042 to be heard after Item 2 by the Complainant. Chair Grant announced a request for File No. 12034 to be continued by the Complainant.

Complainant of File No. 12040, 12041 and 12042 withdrew the request.

Member David, seconded by Member Hyland moved to accept the Complainant's request to continue File No. 12034.

Public Comment:
Bob Clark opposed moving File Nos. 12040-12042 after Item two on the agenda; Ray Hartz, Jr. advised the Complainant of File Nos. 12040-12042 of the majority rule; Paula Datesh opposed the agenda change; Female Speaker requested File No. 12034 not be continued.

The motion PASSED by the following vote:
Ayes: 8 - Manneh, Washburn, Sims, David, Hyland, Oka, Fischer, Grant
Excused: 2 – Knee, Pilpel

2. **File No. 11068:** The Compliance and Amendments Committee has referred File No. 11068, Anonymous against the Planning Department, back to the Task Force for further action including a recommendation to the Ethics Commission.

Anonymous, (Complainant) provided an overview of the complaint, findings, follow-up, and further requested the Task Force to find further violations. Ray Hartz, Jr. spoke in support of the Complainant. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find further violations. Tom DeSanto, Planning Department (Respondent), provided an overview of the Planning Department's defense and follow-up. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Washburn, seconded by Member David, moved to refer the Planning Department to the Education, Outreach and Training Committee.

Public Comment:
Debbie Brubaker asked whether the Planning Department is familiar with certified mail.

The motion PASSED by the following vote:
Ayes: 8 - Manneh, Washburn, Sims, David, Hyland, Oka, Fischer, Grant
Excused: 2 – Knee, Pilpel

3. **File No. 12034:** Complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects.

Chair Grant indicated a request for File No. 12034 be continued by the Complainant.

4. **File No. 12038:** Complaint filed by William Clark against Ben Rosenfield, Controller for allegedly not providing legal authorities supporting that the Arts Commission can legally exceed amount budgeted to Street Artist Program and spend the surplus without an approved supplemental appropriation ordinance.

Member Washburn, seconded by Member Manneh, moved to find jurisdiction.

There were no speakers. **The motion PASSED without objection.**

William Clark (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. Robert Clark spoke in support of the Complainant. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Monique Zmuda, Deputy Controller (Respondent), provided an overview of

the Office of the Controller's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Washburn, seconded by Member Sims, moved to find violation of Sunshine Ordinance Section 67.21(b) for failure to observe 10-day window for records requests; referral to Compliance and Amendments Committee.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 6 - Manneh, Washburn, Sims, Hyland, Oka, Grant
Noes: 2 – David, Fischer
Excused: 2 – Knee, Pilpel

5. **Public Comment:**

*Ray Hartz spoke to outstanding Order of Determinations and majority voting (Speaker submitted 150 Word Summary, pursuant to Administrative Code Section 67.16.);William Clark expressed that his complaint will be heard before the Ethics Commission; Robert Clark expressed concern regarding Street Artist appeals; Paula Datesh expressed concern regarding her pervious Art Commission complaint; Female Speaker advised Task Force to focus on the facts of complaint cases and that Sunshine/Ethics training is required for Task Force members; Female Speaker spoke in support of Complaint No. 12034, Female Speaker spoke in support of Complaint No. 12034.

***The following information is provided by a speaker, pursuant to Administrative Code Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Sunshine Ordinance Task Force.**

Ray Hartz, Jr. submitted the following additional information for Public Comment as follows:

Agenda Item on Public Comment (150 words)

Despite the fact that this task force has been meeting for a number of months, the last order of determination issued was in May of 2012. The importance of holding hearings has been cited as justification for a number of questionable changes such as cutting public comment to two minutes, scheduling complaints for hearing in no discernible order, and other changes. It is a fact, however, that everything else becomes meaningless for complainants if they cannot get an ordered determination or referral based upon the complaint! I've contacted the chair through the administrator on several occasions regarding this matter and have only had vague commitments of action. I have two outstanding referrals, one of which is based on the complaint originally filed in July of 2011, with which I cannot move forward, lacking the necessary

documentation. The situation is totally unacceptable and must be corrected immediately!

Recess
6:58 p.m. –7:10 p.m.

6. **File No. 12039:** Complaint filed by William Clark against Monique Zmuda, Assistant Controller for allegedly not providing a response regarding Arts Commission and Street Artist funds in the 1990's, FY 2009-2010, and FY 2010-2011.

Member Fischer, seconded by Member Washburn, moved to find jurisdiction.

There were no speakers. **The motion PASSSED without objection.**

William Clark (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. Robert Clark spoke in support of the Complainant. A question and answer period followed. Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Monique Zmuda, Deputy Controller (Respondent), provided an overview of the Office of the Controller's defense and further requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Sims, seconded by Member Fischer, moved to find violation of Sunshine Ordinance Section 67.21(b) for failure to answer questions raised by Complainant.

Public Comment:
Paula Datesh expressed concern for increased fees and reasoning behind the fee increases.

The motion FAILED by the following vote:
Ayes: 3 - Manneh, Washburn, Sims,
Noes: 5 – David, Hyland, Oka, Fischer, Grant
Excused: 2 – Knee, Pilpel

7. **File No. 12040:** Complaint filed by Anonymous against the Robert Collins, Deputy Director, Rent Board for allegedly denying a request for reasonable accommodation of Rent Board Commission meetings.

Member Oka, seconded by Member Fischer, moved to CONTINUE File No. 12040 to March 6, 2013.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 8 - Manneh, Washburn, Sims, Hyland, Oka, David, Fischer, Grant
Excused: 2 – Knee, Pilpel

8. **File No. 12041:** Complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation.

Member Oka, seconded by Member David, moved to CONTINUE File No. 12041 to March 6, 2013.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 8 - Manneh, Washburn, Sims, Hyland, Oka, David, Fischer, Grant
Excused: 2 – Knee, Pilpel

9. **File No. 12042:** Complaint filed by Anonymous against Lupe Arreola, Discrimination Investigator, Human Rights Commission for allegedly not providing the determination of a Human Rights Commission complaint.

Member Oka, seconded by Member David, moved to CONTINUE File No. 12042 to March 6, 2013.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 8 - Manneh, Washburn, Sims, Hyland, Oka, David, Fischer, Grant
Excused: 2 – Knee, Pilpel

10. **Approval of Minutes from the January 16, 2013 Special Meeting.**

Member David, seconded by Member Manneh, moved to CONTINUE Items 10 through 16 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

11. **Approval of Minutes from the December 12, 2012, Special Meeting.**

Member David, seconded by Member Manneh, moved to CONTINUE Items 10 through 16 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

12. **Approval of Minutes from the December 5, 2012, Regular Meeting.**

Member David, seconded by Member Manneh, moved to CONTINUE Items 10 through 16 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

13. **Approval of Minutes from the November 7, 2012, Regular Meeting.**

Member David, seconded by Member Manneh, moved to CONTINUE Items 10 through 16 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

14. **Approval of Minutes from the July 11, 2012, Special Meeting.**

Member David, seconded by Member Manneh, moved to CONTINUE Items 10 through 16 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

15. **Approval of Minutes from the June 6, 2012, Regular Meeting.**

Member David, seconded by Member Manneh, moved to CONTINUE Items 10 through 16 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

16. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

Member David, seconded by Member Manneh, moved to CONTINUE Items 10 through 16 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

17. **Report: Education Outreach and Training Committee meeting of December 13, 2012.**

Member David, seconded by Member Fischer, moved to CONTINUE Items 17 through 19 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

18. **Report: Compliance and Amendments Committee meeting of January 15, 2013.**

Member David, seconded by Member Fischer, moved to CONTINUE Items 17 through 19 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

19. **Administrator's Report.**

Member David, seconded by Member Fischer, moved to CONTINUE Items 17 through 19 to the March 6, 2013 meeting.

Public Comment:
None.

The motion PASSED without objection.

20. **Announcements, Comments, Questions, and Future Agenda Items.**
There were no announcements, comments, questions, and future agenda items.

21. **ADJOURNMENT**

Member David, seconded by Member Fischer, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Task Force adjourned at the hour of 8:13 p.m.

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2.	City responds	5 minutes
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3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
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CITY AND COUNTY OF SAN FRANCISCO
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Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	(Vacant)

6/13

2. **File No. 12013:** The Compliance and Amendments Committee has referred File No. 12013, William Clark against Howard Lazar, Arts Commission, back to the Task Force for further action and referral recommendation. *(approximately 15 minutes) (Discussion and Action) (attachment)*

3. **File No. 12031:** Complaint filed by Anonymous against Commissioners, Housing Authority for allegedly not providing a response to an Immediate Disclosure Request regarding former residents of Parkmerced and monies paid to Parkmerced or Stellar Management.

   (a) Determination of jurisdiction on complaint filed by Anonymous against Commissioners, Housing Authority for allegedly not providing a response to an Immediate Disclosure Request regarding former residents of Parkmerced and monies paid to Parkmerced or Stellar Management. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against Commissioners, Housing Authority for allegedly not providing a response to an Immediate Disclosure Request regarding former residents of Parkmerced and monies paid to Parkmerced or Stellar Management. *(approximately 30 minutes) (Discussion and Action)*

4. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

5. **File No. 12034:** Continued hearing on complaint filed by Anonymous against Debbie Brubaker, Film Commissioner for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects. *(attachment) (approximately 30 minutes) (Discussion and Action)*

6. **File No. 12040:** Complaint filed by Anonymous against the Robert Collins, Deputy Director, Rent Board for allegedly denying a request for reasonable accommodation of Rent Board Commission meetings. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against the Robert Collins, Deputy Director, Rent Board for allegedly denying a request for reasonable accommodation of Rent Board Commission meetings. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against the Robert Collins, Deputy Director, Rent Board for allegedly denying a request for reasonable accommodation of Rent Board Commission meetings. *(approximately 30 minutes) (Discussion and Action)*

7. **File No. 12048:** Complaint filed by David Schneider against the Municipal Transportation Agency for allegedly denying fair and uniform speaking time for public comment. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by David Schneider against the Municipal Transportation Agency for allegedly denying fair and uniform speaking time for public comment. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by David Schneider against the Municipal Transportation Agency for allegedly denying fair and uniform speaking time for public comment. *(approximately 30 minutes) (Discussion and Action)*

8. **File No. 12049:** Complaint filed by Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes. *(approximately 30 minutes) (Discussion and Action)*

9. **Approval of Minutes from the May 2, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

10. **Approval of Minutes from the June 6, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action)

11. **Approval of Minutes from the July 11, 2012, Special Meeting.** *(approximately 5 minutes)* (Action)

12. **Approval of Minutes from the November 7, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

13. **Approval of Minutes from the December 5, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

14. **Approval of Minutes from the December 12, 2012, Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

15. **Approval of Minutes from the January 16, 2013 Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

16. **Approval of Minutes from the February 6, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

17. **Report: Education Outreach and Training Committee meeting of December 13, 2012.** *(approximately 5 minutes)* (Discussion)

18. **Report: Compliance and Amendments Committee meeting of January 15, 2013 and February 19, 2013.** *(approximately 5 minutes)* (Discussion)

19. **Administrator's Report.** *(approximately 5 minutes)* (Discussion)

20. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes)* (Discussion and Action)

21. **ADJOURNMENT**

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1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT

FEB 28 2014

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March 6, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:11 p.m. Members Manneh, David, Sims and Hyland were noted absent. There was a quorum. Member Sims was noted present at 4:22 p.m.

Member Pilpel, seconded by Member Oka, moved to excuse Members David and Manneh.

Speakers: None

The motion PASSED by the following vote:
Ayes: 6 - Knee, Washburn, Pilpel, Oka, Fischer, Grant
Excused: 2 – Manneh, David,
Absent: 2 – Sims, Hyland

Chair Grant announced a request for File Nos. 12048 and 12049 to be continued from the Complainant.

Member Sims, seconded by Member Knee moved to accept the Complainant's request to continue File Nos. 12048 and 12049.

Speakers: None.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Sims, Pilpel, Oka, Fischer, Grant
Excused: 2 – Manneh, David,
Absent: 1 – Hyland

2. **File No. 12013:** The Compliance and Amendments Committee has referred File No. 12013, William Clark against Howard Lazar, Arts Commission, back to the Task Force for further action and referral recommendation.

William Clark (Complainant) provided an overview of the complaint, findings, and follow-up, and requested the Task Force to find further violations of the Sunshine Ordinance. Paula Datesh spoke in support of the Complainant. A question and answer period followed. Kate Patterson, Arts Commission (Respondent), provided an overview of the Arts Commission's defense and follow-up. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal and requested the Task Force to find violation.

Member Knee, seconded by Member Washburn, moved to refer the matter to the Ethics Commission.

Speakers: Robert Clark stated it is incredulous that emails regarding the records requested by Complainant do not exist; Charlotte spoke in support of the Task Force's motion.

The motion FAILED by the following vote:
Ayes: 3 - Knee, Washburn, Oka
Noes: 4 - Pilpel, Sims, Fischer, Grant
Excused: 2 – Manneh, David
Absent: 1 - Hyland

Member Sims, seconded by Member Knee, moved to refer the matter to the Education, Outreach and Training Committee.

Speaker: William Clark spoke in opposition to the motion.

The motion PASSED by the following vote:
Ayes: 7 - Knee, Washburn, Pilpel, Sims, Oka, Fischer, Grant
Excused: 2 – Manneh, David
Absent: 1 - Hyland

Recess

5:23 p.m. – 5:32 p.m.

3. **File No. 12031:** Complaint filed by Anonymous against Commissioners, San Francisco Housing Authority for allegedly not responding to an Immediate Disclosure Request regarding former residents of Parkmerced and monies paid to Parkmerced or Stellar Management.

Member Sims, seconded by Member Washburn, moved to recuse Member Knee on the matter ofdue to Member Knee having counseled the Complainant.

Speakers: None.

The motion PASSED by the following vote:
Ayes: 6 - Washburn, Sims, Pilpel, Oka, Fischer, Grant
Excused: 2 – Manneh, David
Absent: 1 – Hyland
Abstain: 1 – Knee

Member Pilpel, seconded by Member Oka, moved to find no jurisdiction

Speakers: Richard Knee said the Housing Authority Commission is a policy body as defined by Sunshine Ordinance Section 67.3(d)(7) and is therefore under the Task Force's jurisdiction.

The motion FAILED by the following vote:

Ayes: Pilpel, Sims, Oka, Fischer, Grant
Noes: Washburn
Excused: 2 – Manneh, David
Absent: Hyland
Recused: Knee

Member Washburn, seconded by Member Pilpel, moved to CONTINUE to May regular meeting.

Robert Thin, Attorney, Housing Authority (Respondent) is to provide documentation to the Task Force, regarding the Housing Authority's position by April 12, 2013.

Speakers: None.

The motion PASSED by the following vote:
Ayes: 5 – Washburn, Pilpel, Sims, Oka, Fischer, Grant
Excused: 2 – Manneh, David,
Absent: 1 – Hyland
Abstain: 1 - Knee

4. **Public Comment:**

Speakers: William Clark gave an update on the Ethics Commission's determination of Task Force referred complaints; Robert Clark gave an update on the Ethics Commission's

determination of Task Force referred complaints; Paula Datesh stated she is unwelcome in the Arts Commission's Office.

5. **File No. 12034:** Continued hearing on complaint filed by Anonymous against Debbie Brubaker, Film Commissioner, for allegedly not providing records of written determination on projects employed and emails forwarding list of possible employees to studios or producers for projects.

   Anonymous (Complainant) provided an overview of the complaint and requested the Task Force to find violations of the Sunshine Ordinance. There were no speakers in support of the Complainant. A question and answer period followed. Susannah Robbins, Film Commission (Respondent), presented the Film Commission's defense requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. Respondent provided a rebuttal. Complainant provided a rebuttal and requested the Task Force to find violations.

   Speaker: Charlotte stated that the Film Commission has been withholding lists from union workers.

   Due to a lack of a motion, the Task Force FOUND NO VIOLATION. The matter was thus concluded.

6. **File No. 12040:** Complaint filed by Anonymous against Robert Collins, Deputy Director, Rent Board, for allegedly denying a request for reasonable accommodation at Rent Board meetings.

   Complaint withdrawn by Complainant via dial-in of Complaint No. 12031, March 6, 2013.

7. **File No. 12048:** Complaint filed by David Schneider against the Municipal Transportation Agency Board for allegedly denying fair and uniform speaking time for public comment.

   The Task Force continued the matter in a previous action.

8. **File No. 12049:** Complaint filed by Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes.

   The Task Force continued the matter in a previous action.

   The motion PASSED by the following vote:
   Ayes: 7 - Knee, Washburn, Sims, Pilpel, Oka, Fischer, Grant
   Excused: 2 – Manneh, David
   Absent: 1 – Hyland

9. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

   By unanimous consent the item was CONTINUED to April 3, 2013.

   There were no speakers.

10. **Approval of Minutes from the June 6, 2012, Regular Meeting.**

    By unanimous consent the item was CONTINUED to April 3, 2013.

    There were no speakers.

11. **Approval of Minutes from the July 11, 2012, Special Meeting.**

    By unanimous consent the item was CONTINUED to April 3, 2013.

    There were no speakers.

12. **Approval of Minutes from the November 7, 2012, Regular Meeting.**

    By unanimous consent the item was CONTINUED to April 3, 2013.

    There were no speakers.

13. **Approval of Minutes from the December 5, 2012, Regular Meeting.**

    By unanimous consent the item was CONTINUED to April 3, 2013.

    There were no speakers.

14. **Approval of Minutes from the December 12, 2012, Special Meeting.**

    By unanimous consent the item was CONTINUED to April 3, 2013.

    There were no speakers.

15. **Approval of Minutes from the January 16, 2013 Special Meeting.**

    By unanimous consent the item was CONTINUED to April 3, 2013.

    There were no speakers.

16. **Approval of Minutes from the February 6, 2013 Regular Meeting.**

    By unanimous consent the item was CONTINUED to April 3, 2013.

    There were no speakers.

17. **Report: Education Outreach and Training Committee meeting of December 13, 2012.**

Report was given by Member Pilpel, Chair of the Education Outreach and Training Committee on the December 13, 2012 meeting on behalf of the Education Outreach and Training Committee.

Speakers: None.

18. **Report: Compliance and Amendments Committees meeting of January 15, 2013 and February 19, 2013.**

Report was given by Member Washburn, Chair of the Compliance and Amendments Committee, on the January 15, 2013 and February 19, 2013 meetings on behalf of the Compliance and Amendments Committee.

Speakers: None.

19. **Administrator's Report.**

Report was given by Andrea Ausberry, Sunshine Ordinance Task Force Administrator.

Speakers: None.

20. **Announcements, Comments, Questions, and Future Agenda Items**

Member Knee announced pointed to Bay Guardian article on the Sunshine Ordinance at sfbg.com; Chair Grant requested Chair Sims (Rules Committee) partner with Member Pilpel on his suggested by-law amendments; Member Knee suggested the Rules Committee focus on substantive majority vote in by-laws; Member Washburn will advise on the ambiguity of the by-laws.

Chair Grant will submit a letter to the Board of Supervisors' Rules Committee regarding applicants for Sunshine Ordinance Task Force seats requiring outside organization to submit nominations.

Speakers: None.

21. **ADJOURNMENT**

Member Oka, seconded by Member Knee, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Task Force adjourned at 7:49 p.m.

APPROVED: February 5, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

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4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
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GOVERNMENT
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MAR 27 2013

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April 3, 2013 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	*(Vacant)*	Seat 8	Todd David
Seat 2	Richard Knee *(Hold Over)*	Seat 9	Chris Hyland
Seat 3	Kitt Grant – **Chair**	Seat 10	Louise Fischer – **Vice Chair**
Seat 4	Suzanne Manneh *(Hold Over)*	Seat 11	Bruce Oka
Seat 5	Allyson Washburn *(Hold Over)*		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	*(Vacant)*

2. **File No. 12041:** Complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(approximately 30 minutes) (Discussion and Action)*

3. **File No. 12042:** Complaint filed by Anonymous against Lupe Arreola, Discrimination Investigator, Human Rights Commission for allegedly not providing the determination of a Human Rights Commission complaint. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation. *(approximately 30 minutes) (Discussion and Action)*

4. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

5. **File No. 12048:** Complaint filed by David Schneider against the Municipal Transportation Agency for allegedly denying fair and uniform speaking time for public comment. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by David Schneider against the Municipal Transportation Agency for allegedly denying fair and uniform speaking time for public comment. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by David Schneider against the Municipal Transportation Agency for allegedly denying fair and uniform speaking time for public comment. *(approximately 30 minutes) (Discussion and Action)*

6. **File No. 12049:** Complaint filed by Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission for allegedly committing multiple violations of its July 23, 2012 minutes. *(approximately 30 minutes) (Discussion and Action)*

7. **File No. 12050:** Complaint filed by Ray Hartz, Jr. against Angela Calvillo, Clerk of the Board of Supervisors for allegedly violating Sunshine Ordinance Section 67.16 Minutes, the months of March through July 2012 and September 2012. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr. against Angela Calvillo, Clerk of the Board of Supervisors for allegedly violating Sunshine Ordinance Section 67.16 Minutes, the months of March through July 2012 and September 2012.
   (approximately 5 minutes) (Discussion and Action)

   (b) Hearing on complaint filed Ray Hartz, Jr. against Angela Calvillo, Clerk of the Board of Supervisors for allegedly violating Sunshine Ordinance Section 67.16

Minutes, the months of March through July 2012 and September 2012. *(approximately 30 minutes) (Discussion and Action)*

8. **Approval of Minutes from the May 2, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

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13. **Approval of Minutes from the December 12, 2012, Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

14. **Approval of Minutes from the January 16, 2013 Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

15. **Approval of Minutes from the February 6, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

16. **Approval of Minutes from the March 6, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

17. **Report: Compliance and Amendments Committee meeting of March 19, 2013**. *(approximately 5 minutes)* (Discussion)

18. **Administrator's Report.** *(approximately 5 minutes)* (Discussion)

19. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes)* (Discussion and Action)

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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FEB 28 2014

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April 3, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Suzanne Manneh, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

   The meeting was called to order at 4:12 p.m. Members David and Sims were noted absent. There was a quorum. Member Sims was noted present at 4:27 p.m.

   Chair Grant announced a request from the Complainant to postpone the hearings on File Nos. 12041 and 12042, along with all other pending complaints submitted by the Complainant.

2. **File No. 12041:** Complaint filed by Anonymous against the Human Rights Commission for allegedly continually delaying a response to Complainant's case investigation.

   Member Knee, seconded by Member Manneh, moved to CONTINUE TO THE CALL OF THE CHAIR.

   Speakers: None.

   The motion PASSED without objection.

3. **File No. 12042:** Complaint filed by Anonymous against Lupe Arreola, Discrimination Investigator, Human Rights Commission for allegedly not providing information on the determination of a Human Rights Commission complaint.

   Member Knee, seconded by Member Manneh moved to CONTINUE TO THE CALL OF THE CHAIR.

   Speakers: None.

The motion PASSED without objection.

4. **Public Comment.**

Speakers: Barry Taranto stated that the Ethics Commission does not value Task Force referrals; Ray Hartz stated that it is the Task Force who interprets Sunshine Ordinance violations, it is not the charge of the Ethics Commission; Doug Comstock expressed appreciation and presented Member Manneh with a plaque for her service on the Task Force; Mr. Mahmoud stated that items on the Municipal Transportation Agency's agenda lack specificity; Peter Warfield expressed appreciation for Member Manneh's service on the Task Force.

5. **File No. 12048:** Complaint filed by David Schneider against the Municipal Transportation Agency for allegedly denying fair and uniform speaking time for public comment.

Member Knee, seconded by Member Washburn, moved to find jurisdiction.

Speakers: None.

The motion PASSSED without objection.

David Schneider (Complainant) provided an overview of the complaint and requested the Task Force to find violations. No speakers offered facts and evidence in support of Complainant. Roberta Boomer, Secretary Municipal Transportation Agency (MTA) Board of Directors (Respondent), provided an overview of the MTA Commission's defense and requested the Task Force to dismiss the complaint. No speakers offered facts and evidence in support of Respondent. A question and answer period followed. Respondent waived rebuttal. Complainant provided a rebuttal and again requested the Task Force find violations.

Member Manneh, seconded by Member Knee, moved to find the MTA Board in violation of Sunshine Ordinance Section 67.15(c) for failure to uniformly apply time limits to members of the public.

Speakers: Male Speaker stated that the MTA Board knew the climate of the item and should have allowed substantial time for speakers; Ray Hartz, Jr. stated that commissions regularly go into closed session without permitting public comment; Peter Warfield stated that members of the public have three minutes for comment at the public's discretion.

The motion FAILED by the following vote:

Ayes: 5 - Manneh, Washburn, Pilpel, Sims, Hyland
Noes: 4 – Knee, Oka, Fischer, Grant
Absent: 1 – David

RECESS 5:36 p.m. – 5:47 p.m.

6. **File No. 12049:** Complaint filed by Ray Hartz, Jr. against John St. Croix, Executive Director, Ethics Commission, for allegedly committing multiple violations in its July 23, 2012 minutes.

Member Knee, seconded by Member Pilpel, moved to find jurisdiction.

Speakers: None.

The motion PASSSED without objection.

Ray Hartz, Jr. (Complainant) provided an overview of the complaint and requested the Task Force to find violations. No speakers offered facts and evidence in support of Complainant. John St. Croix, Executive Director, Ethics Commission (Respondent), provided an overview of the Ethics Commission's defense and requested the Task Force to dismiss the complaint. No speakers offered facts and evidence in support of Respondent. A question and answer period followed. Respondent waived rebuttal. Complainant provided a rebuttal and again requested the Task Force find violations.

Member Washburn, seconded by Member Oka, moved to find the Ethics Commission in violation of Sunshine Ordinance Section 67.16 for failure to include up to 150 word-summary in body of the minutes at the point in minutes where speaker made comments; referral to the Compliance and Amendments Committee.

Speakers: Peter Warfield stated that the Library Commission's repeatedly violates the Sunshine Ordinance Section 67.16.

The motion PASSED by the following vote:

Ayes: 7 – Knee, Manneh, Washburn, Sims, Hyland, Oka, Fischer
Noes: 2 – Pilpel, Grant
Absent: 1 – David

7. **File No. 12050:** Complaint filed by Ray Hartz, Jr. against Angela Calvillo, Clerk of the Board of Supervisors for allegedly violating Sunshine Ordinance Section 67.16 in minutes for the months of March through July 2012 and September 2012.

Member Knee, seconded by Member Sims, moved to find jurisdiction.

Speakers: None.

The motion PASSED without objection.

Ray Hartz, Jr. (Complainant) provided an overview of the complaint and requested the Task Force to find violations. No speakers offered facts and evidence in support of Complainant. Rick Caldeira, Deputy Director, Office of the Clerk of the Board (Respondent), provided an overview of the Clerk of the Board's defense and requested

the Task Force to dismiss the complaint. No speakers offered facts and evidence in support of Respondent. A question and answer period followed. Respondent waived rebuttal. Complainant provided a rebuttal and again requested the Task Force find violations.

Member Hyland, seconded by Member Oka, moved to find the Board of Supervisors in violation of Sunshine Ordinance Section 67.16 for failure to include 150-summary in body of minutes at point in minutes where speaker made comments; referral to Education, Outreach and Training.

Speakers: Peter Warfield expressed opposition to Board of Supervisor's meetings speaker time limits and spoke in favor to motion.

The motion PASSED by the following vote:
Ayes: 7 – Knee, Manneh, Washburn, Sims, Hyland, Oka, Fischer
Noes: 2 – Pilpel, Grant
Absent: 1 – David

8. **Approval of Minutes from the May 2, 2012, Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to approve the minutes as corrected.

Speaker: Peter Warfield stated that the minutes do not reflect the content of his public comment.

The motion PASSED without objection.

9. **Approval of Minutes from the June 6, 2012, Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to approve the minutes as corrected.

Speaker: Peter Warfield stated that the minutes do not reflect the content of his public comment.

The motion PASSED without objection.

10. **Approval of Minutes from the July 11, 2012, Special Meetings.**

Member Pilpel, seconded by Member Washburn, moved to approve the minutes as corrected.

Speaker: Peter Warfield stated that the minutes do not reflect the content of his public comment.

The motion PASSED without objection.

11. **Approval of Minutes from the November 7, 2012, Regular Meeting.**

Member Knee, seconded by Member Oka, moved to CONTINUE to May 1, 2013.

Speaker: Peter Warfield stated that the minutes do not reflect the content of his public comment.

The motion PASSED without objection.

12. **Approval of Minutes from the December 5, 2012, Regular Meeting.**

Member Pilpel, seconded by Member Hyland, moved to CONTINUE items 12 - 16 to May 1, 2013.

Speaker: Peter Warfield stated that the minutes do not reflect the content of his public comment.

The motion PASSED without objection.

13. **Approval of Minutes from the December 12, 2012, Special Meeting.**

Member Pilpel, seconded by Member Hyland, moved to CONTINUE items 12 - 16 to May 1, 2013.

Speaker: Peter Warfield stated that the minutes do not reflect the content of his public comment.

The motion PASSED without objection.

14. **Approval of Minutes from the January 16, 2013 Special Meeting.**

Member Pilpel, seconded by Member Hyland, moved to CONTINUE items 12 - 16 to May 1, 2013.

Speaker: Peter Warfield stated that the minutes do not reflect the content of his public comment.

The motion PASSED without objection.

15. **Approval of Minutes from the February 6, 2013 Regular Meeting.**

Member Pilpel, seconded by Member Hyland, moved to CONTINUE items 12 - 16 to May 1, 2013.

Speaker: Peter Warfield stated that the minutes do not reflect the content of his public comment.

The motion PASSED without objection.

16. **Approval of Minutes from the March 6, 2013 Regular Meeting.**

Member Pilpel, seconded by Member Hyland' moved to CONTINUE items 12 - 16 to May 1, 2013.

Speaker: Peter Warfield stated that the minutes do not reflect the content of his public comment.

The motion PASSED without objection.

17. **Report: Compliance and Amendments Committee meeting of March 19, 2013**.

Member Washburn, Chair of the Compliance and Amendments Committee, reported on the committee's March 19, 2013.

Speakers: None.

18. **Administrator's Report.**

Andrea Ausberry, Sunshine Ordinance Task Force Administrator, gave the report on behalf of the Sunshine Ordinance Task Force Office.

Speakers: None.

19. **Announcements, Comments, Questions, and Future Agenda Items.**

Chair Grant thanked Member Manneh for her time served as a member of the Sunshine Ordinance Task Force; Member Hyland suggested rescheduling the July meeting due its falling on the eve of July 4, 2013; Chair Grant placed Member Hyland on the Education Outreach and Training Committee to fill Member Manneh's vacancy; Supervisor of Records Report will be on the May 1, 2013, meeting agenda.

20. **ADJOURNMENT**

Member Manneh, seconded by Member Hyland, moved to ADJOURN.

There were no speakers. **The motion PASSED without objection.**

There being no further business, the Task Force adjourned at 8:38 p.m.

APPROVED: February 5, 2014

Victor Young
Administrator
Sunshine Ordinance Task Force

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	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

04-26-13P01:17 RCVD

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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May 1, 2013 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	*(Vacant)*	Seat 8	Todd David
Seat 2	Richard Knee *(Hold Over)*	Seat 9	Chris Hyland
Seat 3	Kitt Grant – **Chair**	Seat 10	Louise Fischer – **Vice Chair**
Seat 4	*(Vacant)*	Seat 11	Bruce Oka
Seat 5	Allyson Washburn *(Hold Over)*		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	*(Vacant)*

2. Supervisor of Records Report – Presented by Paula Jesson, Deputy City Attorney. *(Discussion and Action) (approximately 30 minutes) (attachment)*

3. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

4. **File No. 12058:** Complaint filed by Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders. *(approximately 45 minutes) (Discussion and Action)*

5. ***File No. 13007:** Complaint filed by Charles Pitts against the Local Homeless Coordination Board for allegedly failing to provide an opportunity for the public to address Board at their January 7, 2013 meeting. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Charles Pitts against the Local Homeless Coordination Board for allegedly failing to provide an opportunity for the public to address Board at their January 7, 2013 meeting. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Charles Pitts against the Local Homeless Coordination Board for allegedly failing to provide an opportunity for the public to address Board at their January 7, 2013 meeting. *(approximately 45 minutes) (Discussion and Action)*

6. **File No. 13008:** Complaint filed by William Clark against Tom DeCaigny, Director of Cultural Affairs for allegedly failing to include language in the Arts Commission's agenda to discuss and approve budgets for FY 2013-14 and FY 2014-15. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by William Clark against Tom DeCaigny, Director of Cultural Affairs for allegedly failing to include language in the Arts Commission's agenda to discuss and approve budgets for FY 2013-14 and FY 2014-15. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by William Clark against Tom DeCaigny, Director of Cultural Affairs for allegedly failing to include language in the Arts Commission's agenda to discuss and approve budgets for FY 2013-14 and FY 2014-15. *(approximately 45 minutes) (Discussion and Action)*

7. ***File No. 13022:** Complaint filed by Charles Pitts against the Local Homeless Coordination Board for allegedly walking out before public comment at their January 7, 2013 meeting. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Charles Pitts against the Local Homeless Coordination Board for allegedly walking out before public comment at their January 7, 2013 meeting. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Charles Pitts against the Local Homeless Coordination Board for allegedly walking out before public comment at their January 7, 2013 meeting. *(approximately 45 minutes) (Discussion and Action)*

8. ***File No. 13023:** Complaint filed by Charles Pitts against the Local Homeless Coordination Board for allegedly failing to provide audio of their January 7, 2013 meeting. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Charles Pitts Charles Pitts against the Local Homeless Coordination Board for allegedly failing to provide audio of their January 7, 2013 meeting. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by Charles Pitts against the Local Homeless Coordination Board for allegedly failing to provide audio of their January 7, 2013 meeting. *(approximately 45 minutes) (Discussion and Action)*

9. Discussion regarding possible motion on state budget proposals regarding: 1) increasing court record access fees; and 2) halting State reimbursements that assist local governments in complying with the California Public Records Act. *(approximately 15 minutes) (Discussion and Action) (attachment)*

10. Discussion regarding proposed Resolution to Mayor Edwin Lee and the Board of Supervisors to: 1) communicate to the Governor and San Francisco's State Legislative representatives their opposition to State budget proposals that would grievously abridge the public's right to know by increasing court record access fees and halting state reimbursements that assist local governments in complying with the California Public Records Act; and 2) to instruct the City's legislative representative in the State Capitol to work diligently to persuade the Governor and the Legislature to delete/defeat said proposals. *(approximately 15 minutes) (Discussion and Action) (attachment)*

11. **Approval of Minutes from the November 7, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

12. **Approval of Minutes from the December 5, 2012, Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

13. **Approval of Minutes from the December 12, 2012, Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

14. **Approval of Minutes from the January 16, 2013 Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

15. **Approval of Minutes from the February 6, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

16. **Approval of Minutes from the March 6, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

17. **Approval of Minutes from the April 3, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

18. **Report: Compliance and Amendments Committee meeting of April 16, 2013.** *(approximately 5 minutes)* (Discussion)

19. **Report: Education, Outreach and Training Committee meeting of April 29, 2013.** *(approximately 5 minutes)* (Discussion)

20. **Administrator's Report.** *(approximately 5 minutes)* (Discussion)

21. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes)* (Discussion and Action)

22. **ADJOURNMENT**

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CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
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MAY 24 2013
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May 1, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:10 p.m. Member Washburn was noted absent. There was a quorum. Member Hyland was noted absent at 8:58 p.m.; Chair Grant was noted absent at 9:01 p.m.

2. **Supervisor of Records Report**

Paula Jesson, Deputy City Attorney, presented the Supervisor of Records Report.

Public Comment:
Ray Hartz, Jr. stated that he will submit a complaint against the Supervisor of Records.
Peter Warfield recommended that the Task Force reject the Supervisor of Records report.

***The following summary was provided by a speaker, pursuant to Administrative Code Section 67.16. The content was neither generated by, nor subject to approval or verification of accuracy by, the Sunshine Ordinance Task Force.**

Ray Hartz, Jr. submitted the following statement for Item (2) as follows:

Agenda Item (2) public comment (150 words):

*

I just handed to the administrator, a Sunshine Ordinance complaint against DCA Paula Jesson. The alleged violation reads as follows: "For all intents and purposes, DCA Jesson has acted in such a way as to provide legal counsel for City employees having custody of public records for the purposes of denying access to the public." This report from the Supervisor of Records follows the usual pattern: all petitions are denied! If you examine each case, you will see that Ms. Jesson will do nothing but tell you what her office will not, does not, or cannot do. I have to say that my own opinion is that Ms. Jesson is doing exactly what City Attorney Dennis Herrera wants: deny to the public access to records which might embarrass or incriminate City officials and commission members. To this extent, she does her job exceedingly well! I thank her for her report!

3. **Public Comment:**
William Clark stated that the Charter does not empower the Arts Commission to revoke a license.
Mike Addario urged amending the Sunshine Ordinance to require members of the Task Force to have training in government and constitutional laws.
Ray Harz Jr. stated that Task Force holdovers and vacancies are the failure of the Board of Supervisors Rules Committee and Clerk of the Board and that a complaint has been submitted against the Clerk of the Board.
Dominic Maionchi stated that the Public Records Act states that you can see a document without going through a custodian of records.
Peter Warfield stated that he agreed with the previous speaker and that in his experience with the Public Library he was referred to their custodian of records.

4. **File No. 12058:** Complaint filed by Dominic Maionchi against the Recreation and Park Department for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders.

Member Knee, seconded by Member Fischer, moved to find jurisdiction.

Public Comment:
Ray Hartz stated that the item has been called out of order.
Peter Warfield stated that public comment was called out of order.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant
Noes: 0
Absent: 1 – Washburn

Dominic Maionchi (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant.
Olive Gong, Custodian of Records, Recreation and Park Department (Respondent),

provided an overview of the Recreation and Park Department's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal.

Member Knee, seconded by Member Hyland, moved to find the Recreation and Park Department in violation of Sunshine Ordinance Section 67.26 for illegal redaction of public records; referral to Compliance and Amendments Committee.

Public Comment:
Ray Hartz expressed support for the motion and reiterated that the requester is not required to state a reason for records request.
Peter Warfield stated that the Task Force's findings should include Sunshine Ordinance Sections that the Deputy City Attorney cited as applicable in the memorandum regarding the complaint.

The motion PASSED by the following vote:
Ayes: 7 – Knee, Pilpel, Sims, Hyland, Oka, Fischer, Grant
Noes: 1 – David
Absent: 1 – Washburn

Member Sims, seconded by Member Oka, moved to find the Recreation and Park Department in violation of Sunshine Ordinance Section 67.24(e) for illegal redaction of contracts, bids and proposals.

Public Comment:
Peter Warfield expressed support of the motion.

The motion FAILED by the following vote:
Ayes: 1 – Sims
Noes: 7 – Knee, Pilpel, David, Hyland, Oka, Fischer, Grant
Absent: 1 – Washburn

MEETING RECESS - 6:04 p.m. to 6:17 p.m.

5. **File No. 13007:** Complaint filed by Charles Pitts against the Local Homeless Coordinating Board for allegedly failing to provide an opportunity for the public to address the Board at their January 7, 2013 meeting.

Member Pilpel, seconded by Member Knee, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Charles Pitts (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant.

Diana Christensen, Director of Investigations, Human Services Agency (Respondent), provided an overview of the Human Services Agency's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent waived rebuttal. The Complainant provided a rebuttal and again requested the Task Force to find violations.

Member Knee, seconded by Member Pilpel, moved to find the Human Services Agency in violation of Sunshine Ordinance Section 67.21(e) for failure to send a knowledgeable representative to the hearing.

Public Comment:
Peter Warfield expressed support for the motions.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant
Noes: 0
Absent: 1 – Washburn

Member Sims, seconded by Member David, moved to find the Human Services Agency in violation of Sunshine Ordinance Section 67.15(d) for abridging speech by a member of the public and failure to provide necessary tools for public testimony; refer to Education, Outreach and Training.

The motion PASSED by the following vote:
Ayes: 6 – Pilpel, Sims, David, Hyland, Fischer, Grant
Noes: 2 – Knee, Oka
Absent: 1 – Washburn

6. **File No. 13008:** Complaint filed by William Clark against Tom DeCaigny, Director of Cultural Affairs, Arts Commission, for allegedly failing to include language in the Arts Commissions meeting agenda to discuss and approve budgets for FY 2013-14 and FY 2014-15.

Member Knee, seconded by Member David, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

William Clark (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant. Kate Patterson, Arts Commission (Respondent), provided an overview of Arts Commission's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and again requested the Task Force find violations.

Member Knee, seconded by Member Oka, moved to find the Arts Commission in violation of Sunshine Ordinance Section 67.7(b) and Brown Act Section 54954.2(a)(2) for failure to include an adequate description of agenda items regarding street artist fees.

Public Comment:
Mike Addario expressed support for the motion.

The motion FAILED by the following vote:
Ayes: 4 – Knee, Sims, Hyland, Oka
Noes: 4 – Pilpel, David, Fischer, Grant
Absent: 1 – Washburn

7. **File No. 13022:** Complaint filed by Charles Pitts against the Local Homeless Coordinating Board for allegedly walking out before public comment at its January 7, 2013 meeting.

Member Knee, seconded by Member Fischer, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Charles Pitts (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant. Diana Christensen, Director of Investigations, Human Services Agency (Respondent), provided an overview of Human Services Agency's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of Respondent. A question and answer period followed. The Respondent waived rebuttal. The Complainant provided a rebuttal and again requested the Task Force find violations.

Member Knee, seconded by Member Sims, moved to find the Human Services Agency in violation of Sunshine Ordinance Sections 67.15(a) for failing to provide an opportunity for members of the public to address the Board; and 67.21(e) for failure to send a knowledgeable representative to the hearing; referral to Education, Outreach and Training Committee.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant
Noes: 0
Absent: 1 – Washburn

8. **File No. 13023:** Complaint filed by Charles Pitts against the Local Homeless Coordinating Board for allegedly failing to provide audio of its January 7, 2013 meeting.

Public Comment:
None.

Member Pilpel, seconded by Member Fischer, moved to find jurisdiction.

The motion PASSED without objection.

Charles Pitts (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant. Diana Christensen, Director of Investigations, Human Services Agency (Respondent), provided an overview of Human Services Agency's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of Respondent. A question and answer period followed. The Respondent waived rebuttal opportunity. The Complainant provided a rebuttal and again requested the Task Force find violations.

Public Comment:
None.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

9. Discussion regarding possible motion on state budget proposals regarding: 1) increasing court record access fees; and 2) halting State reimbursements that assist local governments in complying with the California Public Records Act.

Member Knee presented background on state budget proposal.

Member Knee, seconded by Member Sims, moved to CONTINUE TO THE CALL OF THE CHAIR.

The motion PASSED without objection.

Public Comment:
None.

10. Discussion regarding proposed resolution urging Mayor Edwin Lee and the Board of Supervisors to: 1) communicate to the Governor and San Francisco's state legislative representatives their opposition to State budget proposals that would grievously abridge the public's right to know by increasing court record access fees and halting state reimbursements that assist local governments in complying with the California Public Records Act; and 2) instruct the City's legislative representative in the State Capitol to work diligently to persuade the Governor and the Legislature to delete/defeat said proposals.

Member Knee presented background and reasoning for proposal resolution.

Vice Chair Fischer presided over the meeting in Chair Grant's absence.

Member Knee, seconded by Member Sims, moved to CONTINUE TO THE CALL OF THE CHAIR.

Public Comment:
None.

The motion PASSED without objection.

11. **Approval of Minutes from the November 7, 2012, Regular Meeting.**

Member Pilpel, seconded by Member David, moved to approve the minutes as corrected.

Public Comment:
None.

The motion PASSED without objection.

12. **Approval of Minutes from the December 5, 2012, Regular Meeting.**

Member Pilpel, seconded by Member David, moved to approve the minutes as corrected.

Public Comment:
None.

The motion PASSED without objection.

13. **Approval of Minutes from the December 12, 2012, Special Meeting.**

Member Pilpel, seconded by Member David, moved to approve the minutes as corrected.

Public Comment:
None.

The motion PASSED without objection.

14. **Approval of Minutes from the January 16, 2013, Special Meeting.**

Member Fischer, seconded by Member David, moved to CONTINUE items 14 – 20 to June 5, 2013.

Public Comment:
None.

The motion PASSED without objection.

15. **Approval of Minutes from the February 6, 2013, Regular Meeting.**

Member Fischer, seconded by Member David, moved to CONTINUE items 14 – 20 to June 5, 2013.

Public Comment:
None.

The motion PASSED without objection.

16. **Approval of Minutes from the March 6, 2013, Regular Meeting.**

Member Fischer, seconded by Member David, moved to CONTINUE items 14 – 20 to June 5, 2013.

Public Comment:
None.

The motion PASSED without objection.

17. **Approval of Minutes from the April 3, 2013, Regular Meeting.**

Member Fischer, seconded by Member David, moved to CONTINUE items 14 – 20 to June 5, 2013.

Public Comment:
None.

The motion PASSED without objection.

18. **Report: Compliance and Amendments Committee meeting of April 16, 2013.**

Member Fischer, seconded by Member David, moved to CONTINUE items 14 – 20 to June 5, 2013.

Public Comment:
None.

The motion PASSED without objection.

19. **Report: Education, Outreach and Training Committee meeting of April 29, 2013.**

Member Fischer, seconded by Member David, moved to CONTINUE items 14 – 20 to June 5, 2013.

Public Comment:
None.

The motion PASSED without objection.

20. **Administrator's Report.**

Member Fischer, seconded by Member David, moved to CONTINUE items 14 – 20 to June 5, 2013.

Public Comment:
None.

The motion PASSED without objection.

21. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Knee - Committee on Information Technology meeting May 2, 2013, attendance is encouraged; topics of interest: back up, storage and retrieval of City records.

Public Comment:
None.

22. **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:12 p.m.

APPROVED: April 30, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

05-24-13P12:55 RCVD

June 5, 2013 – 4:00 PM

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Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	*(Vacant)*	Seat 8	Todd David
Seat 2	Richard Knee *(Hold Over)*	Seat 9	Chris Hyland
Seat 3	Kitt Grant – **Chair**	Seat 10	Louise Fischer – **Vice Chair**
Seat 4	*(Vacant)*	Seat 11	Bruce Oka
Seat 5	Allyson Washburn *(Hold Over)*		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	*(Vacant)*

2. **File No. 12055:** Complaint filed by Wood Robbins, LLP, representing Pacific Polk Properties, LLC against Dennis Herrera, City Attorney for allegedly not producing documents pertaining to the project at 1601 Larkin Street. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Wood Robbins, LLP, representing Pacific Polk Properties, LLC against Dennis Herrera, City Attorney for allegedly not producing documents pertaining to the project at 1601 Larkin Street. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Wood Robbins, LLP, representing Pacific Polk Properties, LLC against Dennis Herrera, City Attorney for allegedly not producing documents pertaining to the project at 1601 Larkin Street. *(approximately 45 minutes) (Discussion and Action)*

3. **File No. 12056:** Complaint filed by Allen Grossman against John St. Croix, Executive Director, Ethics Commission for allegedly failing to justify withholding unidentified public records as exempt under provisions of the Sunshine Ordinance. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Allen Grossman against John St. Croix, Executive Director, Ethics Commission for alleged failure to justify withholding unidentified public records as exempt under provisions of the Sunshine Ordinance. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by Allen Grossman against John St. Croix, Executive Director, Ethics Commission for alleged failure to justify withholding unidentified public records as exempt under provisions of the Sunshine Ordinance. *(approximately 45 minutes) (Discussion and Action)*

4. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. (No Action) *Public comment shall be taken at 5:00 pm or as soon thereafter as possible.*

5. **File No. 12059:** Complaint filed by Supreet Pabla, SEIU Local 1022 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Supreet Pabla, SEIU Local 1022 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Supreet Pabla, SEIU Local 1022 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees. *(approximately 45 minutes) (Discussion and Action)*

6. **File No. 13005:** Complaint filed by Paula Datesh against Arts Commission for allegedly failing to respond to an Immediate Disclosure Request for records pertaining to the operations of the Arts Commission. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Paula Datesh against Arts Commission for allegedly failing to respond to an Immediate Disclosure Request for records pertaining to the operations of the Arts Commission. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Paula Datesh against Arts Commission for allegedly failing to respond to an Immediate Disclosure Request for records pertaining to the operations of the Arts Commission. *(approximately 45 minutes) (Discussion and Action)*

7. **File No. 13011:** Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary. *(approximately 45 minutes) (Discussion and Action)*

8. Motion (a) to communicate to the appropriate state government officials the Task Force's opposition to proposals in the State's draft budget for Fiscal Year 2013-2014 to (1) impose fees for access to court records and (2) halt State reimbursements to local governments for expenses incurred in complying with State public-records laws; and (b) to inform local news media of said communications. *(approximately 15 minutes) (Discussion and Action)*

9. **Approval of Minutes from the January 16, 2013 Special Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

10. **Approval of Minutes from the February 6, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

11. **Approval of Minutes from the March 6, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

12. **Approval of Minutes from the April 3, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

13. **Approval of Minutes from the May 1, 2013 Regular Meeting.** *(approximately 5 minutes)* (Action) *(attachment)*

14. **Report: Compliance and Amendments Committee meeting of April 16, 2013**. *(approximately 5 minutes)* (Discussion)

15. **Report: Education, Outreach and Training Committee meetings of April 29, 2013 and May 13, 2013**. *(approximately 5 minutes)* (Discussion)

16. **Administrator's Report.** *(approximately 5 minutes)* (Discussion)

17. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes)* (Discussion and Action)

18. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these documents, please contact the SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-7854; or email sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices (Chapter 67A of the San Francisco Administrative Code).

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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June 5, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:19 p.m. Chair Grant was noted absent. There was a quorum.

Administrator Andrea Ausberry announced a request from the Complainant and Respondent for File No. 12055 to be continued to August 2013.

Member Pilpel, seconded by Member Knee, moved to CONTINUE File No. 12055 to August 2013.

Public Comment:
None.

The motion PASSED without objection.

The Administrator announced a request from the Complainant for File Nos. 13005 and 13011 to be continued to the July 2013.

Member David, seconded by Member Knee moved to CONTINUE File Nos. 12005 and 13011 to July.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 8 - Knee, Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer
Noes: 0
Absent: 1 - Grant

2. **File No. 12055:** Complaint filed by Wood Robbins LLP, representing Pacific Polk Properties, LLC against Dennis Herrera, City Attorney for allegedly not producing documents pertaining to the project at 1601 Larkin Street

The Task Force continued the item to August 2013, under Item No. 1 (Agenda Changes).

3. **File No. 12056:** Complaint filed by Allen Grossman against John St. Croix, Executive Director, Ethics Commission for allegedly failing to justify withholding unidentified public records as exempt under provisions of the Sunshine Ordinance

Member Knee, seconded by Member Oka, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Allen Grossman (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant. John St. Croix, Executive Director, Ethics Commission (Respondent), provided an overview of the Ethics Commission's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of Respondent. A question and answer period followed. Respondent waived rebuttal opportunity. Complainant provided a rebuttal and again requested the Task Force find violations.

Member Pilpel, seconded by Member David, moved to CONTINUE File No. 12056 to July meeting.

Public Comment:
None.

The motion FAILED by the following vote:
Ayes: 2 - Pilpel, David,
Noes: 6 - Knee, Washburn, Sims, Hyland, Oka, Fischer
Absent: 1 - Grant

Member Washburn, seconded by Member Knee, moved to find the records disclosable under Sunshine Ordinance Section 67.21(b).

Public Comment:
Peter Warfield expressed support of the motion.

The motion PASSED by the following vote:
Ayes: 6 - Knee, Washburn, Sims, Hyland, Oka, Fischer
Noes: 2 - Pilpel, David
Absent: 1 – Grant

Member Washburn, seconded by Member Knee, moved to find the records disclosable under Sunshine Ordinance Section 67.24(b)(1).

Public Comment:
Peter Warfield expressed support of the motion.

The motion FAILED by the following vote:
Ayes: 5 - Knee, Washburn, Sims, Hyland, Oka
Noes: 3 - Pilpel, David, Fischer
Absent: 1 - Grant

Member Fischer, seconded by Member David, moved to rescind the previous vote.

Public Comment:
None.

The motion PASSED without objection.

Member Fischer, seconded by Member David, moved to find the records disclosable under Sunshine Ordinance Section 67.24(b)(1); referral to Compliance and Amendments Committee.

Public Comment:
Peter Warfield spoke in objection to the motion; Paula Datesh spoke in support of the motion.

The motion PASSED by the following vote:
Ayes: 6 - Knee, Washburn, Sims, Hyland, Oka, Fischer
Noes: 2 - Pilpel, David
Absent: 1 – Grant

MEETING RECESS - 6:30 p.m. to 6:40 p.m.

4. **Public Comment:**
Paula Datesh expressed concern with the Arts Commission making false allegations against her;
Peter Warfield expressed concern with the referral of his complaint from Education, Outreach and Development to the Task Force not agendized for its June meeting;
Charles Pitts asked when the Task Force would make recommendations for amendments to the Sunshine Ordinance for the ballot.

5. **File No. 12059:** Complaint filed by Supreet Pabla, SEIU Local 1021 against the Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees.

Member Knee, seconded by Member Oka, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Supreet Pabla, SEIU Local 1021 (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant. The Respondent was not present for the hearing. A question and answer period followed.

Member Knee, seconded by Member David, moved to find the Human Services Agency in violation of Sunshine Ordinance Sections 67.21(b) for failing to adhere to records request within timeframe; 67.21(e) for Respondent's failure to attend the hearing proceedings and explain the basis for its decision to withhold the records requested; 67.26(c) for failing to keep withholding to a minimum; 67.27 for failing to justify withholding; and 67.29-7 for failing to maintain its correspondence and records; referral to Compliance and Amendments Committee.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 8 - Knee, Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer
Noes: 0
Absent: 1 – Grant

6. **File No. 13005:** Complaint filed by Paula Datesh against the Arts Commission for allegedly failing to respond to an Immediate Disclosure Request for records pertaining to the operations of the Arts Commission.

The Task Force continued the item to August 2013, under Item No. 1 (Agenda Changes).

7. **File No. 13011:** Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary.

   The Administrator announced a request from the Complainant for File Nos. 13005 and 13011 to be continued to the July 2013, meeting.

   Member David, seconded by Member Knee moved to CONTINUE File Nos. 12005 and 13011 to July.

   Public Comment:
   None.

   The motion PASSED by the following vote:
   Ayes: 8 - Knee, Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer
   Absent: 1 - Grant

8. Motion (a) to communicate to the appropriate State government officials the Task Force's opposition to proposals in the State's draft budget for Fiscal Year 2013-2014 to (1) impose fees for access to court records and (2) halt State reimbursements to local governments for expenses incurred in complying with State public-records laws; and (b) to inform the local news media of said communications.

   Member Knee, seconded by Member Oka, moved to send a letter to the Governor and California State Senators stating the Task Force's opposition to the State budget proposals and to send a press release to San Francisco community based news papers.

   Public Comment:
   None.

   The motion PASSED by the following vote:
   Ayes: 7 - Knee, Washburn, Sims, David, Hyland, Oka, Fischer
   Noes: 1 - Pilpel
   Absent: 1 - Grant

9. **Approval of Minutes from the January 16, 2013 Special Meeting.**

   Member Knee, seconded by Member Hyland, moved to CONTINUE items 9 through 13 to July 2013.

   Public Comment:
   None.

   The motion PASSED without objection.

10. **Approval of Minutes from the February 6, 2013 Regular Meeting**

Member Knee, seconded by Member Hyland, moved to CONTINUE items 9 through 13 to July 2013.

Public Comment:
None.

The motion PASSED without objection.

11. **Approval of Minutes from the March 6, 2013 Regular Meeting.**

Member Knee, seconded by Member Hyland, moved to CONTINUE items 9 through 13 to July 2013.

Public Comment:
None.

The motion PASSED without objection.

12. **Approval of Minutes from the April 3, 2013 Regular Meeting.**

Member Knee, seconded by Member Hyland, moved to CONTINUE items 9 through 13 to July 2013.

Public Comment:
None.

The motion PASSED without objection.

13. **Approval of Minutes from the May 1, 2013 Regular Meeting.**

Member Knee, seconded by Member Hyland, moved to CONTINUE items 9 through 13 to July 2013.

Public Comment:
None.

The motion PASSED without objection.

14. **Report: Compliance and Amendments Committee meeting of April 16, 2013.**

Member Washburn, Chair of the Compliance and Amendments Committee, reported on the April 16, 2013 meeting on behalf of the Compliance and Amendments Committee.

Public Comment:
None.

15. **Report: Education, Outreach and Training Committee meetings of April 29, 2013 and May 13, 2013.**

Member Pilpel, Chair of the Education, Outreach and Training Committee, reported on the April 29, 2013, and May 13, 2013, meetings on behalf of the Education, Outreach and Training Committee.

Public Comment:
None.

16. **Administrator's Report.**

Report was given Andrea Ausberry, Sunshine Ordinance Task Force Administrator, on behalf of the Sunshine Ordinance Task Force Office.

Public Comment:
None.

17. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Knee shared the status of Senate Bill 52 sponsored by Leno and Hill, which would require campaign ads and website to list the top sources of campaign funding and Assembly Bill 400 sponsored by Assembly Member Paul Fong which would require Petition circulators to have available a list of the top source of campaign funding.

Public Comment:
None.

18. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:38 p.m.

APPROVED: April 30, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE
TASK FORCE

City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. (415) 554-7724
Fax No. (415) 554-7854
TDD/TTY No. (415) 554-5227

NOTICE OF CANCELLED MEETING

SUNSHINE ORDINANCE TASK FORCE

NOTICE IS HEREBY GIVEN that the regular meeting of the Sunshine Ordinance Task Force scheduled for July 3, 2013, at 4:00 p.m., 1 Dr. Carlton B. Goodlett Place, Room 408, City Hall, San Francisco, California, has been **cancelled**.

Andrea Ausberry, Administrator

POSTED: June 24, 2013

06-25-13A08:05 RCVD

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JUN 25 2013

SAN FRANCISCO
PUBLIC LIBRARY

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
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JUL - 1 2013
SAN FRANCISCO
PUBLIC LIBRARY

July 9, 2013 – 4:30 PM

Special Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	*(Vacant)*	Seat 8	Todd David
Seat 2	Richard Knee *(Hold Over)*	Seat 9	Chris Hyland
Seat 3	Kitt Grant – **Chair**	Seat 10	Louise Fischer – **Vice Chair**
Seat 4	*(Vacant)*	Seat 11	Bruce Oka
Seat 5	Allyson Washburn *(Hold Over)*		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	*(Vacant)*

2. **File No. 12007:** The Education, Outreach and Training Committee has referred File No. 12007, the Library Users Association against Supervisor Campos for responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately. *(approximately 15 minutes) (Discussion and Possible action) (attachment)*

3. **File No. 13005:** Complaint filed by Paula Datesh against the Arts Commission for allegedly failing to respond to an Immediate Disclosure Request for records pertaining to the operations of the Arts Commission. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Paula Datesh against the Arts Commission for allegedly failing to respond to an Immediate Disclosure Request for records pertaining to the operations of the Arts Commission. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Paula Datesh against the Arts Commission for allegedly failing to respond to an Immediate Disclosure Request for records pertaining to the operations of the Arts Commission. *(approximately 45 minutes) (Discussion and Action)*

4. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. *(No Action)* ***Public comment shall be taken at 5:00 pm or as soon thereafter as possible.***

5. **File No. 13011:** Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary. *(approximately 45 minutes) (Discussion and Action)*

6. **File No. 13012:** Complaint filed by Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(approximately 45 minutes) (Discussion and Action)*

7. **File No. 13013:** Complaint filed by Ray Hartz Jr., against Luis Herrera, City Librarian for allegedly abridging public comment by allowing selective accessibility of library audio visual equipment. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Ray Hartz Jr., against Luis Herrera, City Librarian for allegedly abridging public comment by allowing selective accessibility of library audio visual equipment. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Ray Hartz Jr., against Luis Herrera, City Librarian for allegedly abridging public comment by allowing selective accessibility of library audio visual equipment. *(approximately 45 minutes) (Discussion and Action)*

8. **File No. 13014:** Complaint filed by Ray Hartz Jr. against Ben Rosenfield, City Controller for allegedly failing to provide filings by the City Librarian, Luis Herrera of gifts from The Friends of the San Francisco Public Library. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Ray Hartz Jr. against Ben Rosenfield, City Controller for allegedly failing to provide filings by the City Librarian, Luis Herrera of gifts from The Friends of the San Francisco Public Library. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Ray Hartz Jr. against Ben Rosenfield, City Controller for allegedly failing to provide filings by the City Librarian, Luis Herrera of gifts from The Friends of the San Francisco Public Library. *(approximately 45 minutes) (Discussion and Action)*

9. **File No. 13015:** Complaint filed by William Ledford against the Office of the City Attorney for allegedly failing to process and complete an immediate disclosure request. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by William Ledford against the Office of the City Attorney for allegedly failing to process and completes an immediate disclosure request. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by William Ledford against the Office of the City Attorney for allegedly failing to process and complete an immediate disclosure request. *(approximately 45 minutes) (Discussion and Action)*

10. **Approval of Minutes from the January 16, 2013 Special Meeting.** *(approximately 5 minutes) (Action) (attachment)*

11. **Approval of Minutes from the February 6, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

12. **Approval of Minutes from the March 6, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

13. **Approval of Minutes from the April 3, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

14. **Approval of Minutes from the May 1, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

15. **Approval of Minutes from the June 5, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

16. **Report: Compliance and Amendments Committee meeting of June 18, 2013.** *(approximately 5 minutes) (Discussion) (attachment)*

17. **Report: Education, Outreach and Training Committee meeting of June 25, 2013.** *(approximately 5 minutes) (Discussion)*

18. **Administrator's Report.** *(approximately 5 minutes) (Discussion)*

19. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes) (Discussion and Action)*

20. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these documents, please contact the SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-7854; or email sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices (Chapter 67A of the San Francisco Administrative Code).

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 406
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

GOVERNMENT
DOCUMENTS DEPT
MAY 24 2013
SAN FRANCISCO
PUBLIC LIBRARY

July 9, 2013 – 4:30 PM

Special Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL AND AGENDA CHANGES**

The meeting was called to order at 4:38 p.m. All members were noted present. There was a quorum.

Chair Grant announced a request from the Complainant for File No. 13012 to be continued.

Member Washburn, seconded by Member Knee moved to accept the Complainant's request for continuance; CONTINUE File No. 13012 to August 7, 2013.

Public Comment:
None.

The motion PASSED without objection.

2. **File No. 12007:** The Education, Outreach and Training Committee has referred File No. 12007, Library Users Association against Supervisor Campos, for responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.

Member Knee, seconded by Member David moved to CONTINUE the matter to August 7, 2013, meeting.

Public Comment:
Ray Hartz stated that Task Force members should be informed of all supporting documents in order to make proper determinations; Allen Grossman expressed support for the motion.

The motion PASSED by the following vote:
Ayes: 9 - Knee, Washburn, Pilpel, Sims, Hyland, Oka, David, Fischer, Grant
Noes: 0

3. **File No. 13005:** Complaint filed by Paula Datesh against the Arts Commission for allegedly failing to respond to an Immediate Disclosure Request for records pertaining to the operations of the Arts Commission.

Member David, seconded by Member Knee, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Paula Datesh (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant. Howard Lazar, Arts Commission (Respondent), provided an overview of the Arts Commission's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of Respondent. A question and answer period followed. The Respondent provided a rebuttal and denied violating the Sunshine Ordinance. The Complainant provided a rebuttal and again requested the Task Force find violations.

Member Pilpel, seconded by Member Knee, moved to find the Arts Commission in violation of Sunshine Ordinance Sections 67.25(a) for failure to respond in a timely matter and 67.21(b) for failure to comply with the records request; referral to Education, Outreach and Training Committee.

Public Comment:
Diane expressed support of the complainant.

The motion PASSED by the following vote:
Ayes: 9 - Knee, Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant

MEETING RECESS - 6:25 p.m. to 6:37 p.m.

4. **Public Comment:**
Ray Hartz expressed concern with the bias the Chair of the Education, Outreach and Training Committee displays in favor of City agencies;
Allen Grossman expressed concern with the six vote requirement in the Task Force by laws for approval of all substantive matters;
Paula Datesh announced her street artist certification was revoked;
Peter Warfield expressed concern with the vacancies on the Task Force;

Diane expressed concern with the Office of Citizen Complaints not responding to records requests.

***The following Summary was provided by a speaker, pursuant to Administrative Code Section 67.16. The content was neither generated by, nor subject to approval or verification of accuracy by, the Sunshine Ordinance Task Force.**

Allen Grossman submitted the following additional information for Public Comment as follows:

Agenda Item (4) Public Comment (150 words):
Allen Grossman's 150 Word Summary for inclusion in body of SOTF – JULY 9, 2013 Meeting Minutes

Yesterday, the California Supreme Court decided a CPRA case relevant to this body's adoption last year of the six vote "minimum" rule. The Court placed considerable weight on Prop 59's statutory requirement that laws related to public access must be broadly construed.

This decision is significant not because the two Deputy City Attorneys who advised this body on the six vote rule did not know that Prop 59 requirement, but because they never mentioned it in their legal Memoranda construing the City Charter provision involved. This body voted to adopt the six-vote minimum rule on the advice of those two lawyers.

As a result of their lack of professionalism and divided loyalty, those two Deputy City Attorneys deprived this body and the complainants who seek its help of the public's constitutionally protected right of access, which has been and will continue to be compromised to their detriment.

5. **File No. 13011:** Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary.

Member Knee, seconded by Member Oka, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Paula Datesh (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant. Howard Lazar, Arts Commission (Respondent), provided an overview of the Arts Commission's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of Respondent. A question and answer period followed; the Task Force requested, the Complainant provide her initial request made in March for the Task Force to make a determination. The Respondent provided a rebuttal denied

violating the Sunshine Ordinance. The Complainant provided a rebuttal and again requested the Task Force find violations.

Member Knee, seconded by Member Oka, moved to CONTINUE the matter to August 7, 2013, meeting.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 9 - Knee, Washburn, Pilpel, Sims, David Hyland, Oka, Fischer, Grant
Noes: 0

6. **File No. 13012:** Complaint filed by Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge.

The Task Force continued this item to August 7, 2013, under Item No. 1 (Agenda Changes).

7. **File No. 13013:** Complaint filed by Ray Hartz Jr., against Luis Herrera, City Librarian, for allegedly abridging public comment by allowing selective accessibility of library audio visual equipment.

Member Washburn, seconded by Member Fischer, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Ray Hartz, Jr. (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Sue Blackman, Library Commission Secretary, and Roberto Lombardi, Library Logistics (Respondents), provided an overview of the City Librarian's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of Respondent. A question and answer period followed. The Respondents waived rebuttal opportunity. The Complainant provided a rebuttal and again requested the Task Force find violations.

Member Sims, seconded by Member Oka, moved to find the Library in violation of Sunshine Ordinance Section 67.15(a)(d) for abridging public comment by not providing equal access to audio visual equipment to invited parties and the public; referral to the Compliance and Amendments Committee.

Public Comment:
Male Speaker expressed opposition to the Library denying equal access to equipment; Paula Datesh expressed support of the motion;

Diane expressed appreciation of the Complainant for bringing this issue to the Task Force;
Peter Warfield stated the Library has the budget to accommodate the public's use of audio visual equipment.

The motion PASSED by the following vote:
Ayes: 8 - Knee, Washburn, Sims, David, Hyland, Oka, Fischer, Grant
Noes: 1 - Pilpel

8. **File No. 13014:** Complaint filed by Ray Hartz Jr. against Ben Rosenfield, Controller, for allegedly failing to provide filings by Luis Herrera, City Librarian, of gifts from the Friends of the San Francisco Public Library.

Member Pilpel, seconded by Member Knee, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Ray Hartz, Jr. (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant. Monique Zmuda, Deputy Controller (Respondent), provided an overview of the City Controller's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of Respondent. A question and answer period followed. The Complainant and Respondent responded to questions raised throughout the discussion. The Respondent waived rebuttal opportunity. The Complainant provided a rebuttal and again requested the Task Force find violations.

Member Pilpel, seconded by Member Oka, moved to find the City Controller in violation of Sunshine Ordinance Section 67.21(b) for failure to comply with a public records request within ten days following receipt; 67.25(a) for failure to respond in a timely matter; referral to the Education, Outreach and Training Committee for analysis of the City Controller's processes.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 9 - Knee, Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant
Notes: 0

MEETING RECESS - 9:03 p.m. - 9:13 p.m.

Member Hyland was noted absent at 9:13 p.m.

9. **File No. 13015:** Complaint filed by William Ledford against the Office of the City Attorney for allegedly failing to process and complete an immediate disclosure request.

Member Knee, seconded by Member David, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

William Ledford (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of Complainant. Jack Song, Deputy Communications Director, City Attorney's Office (Respondent), provided an overview of the City Attorney's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and again requested the Task Force find violations.

Member Washburn, seconded by Member Knee, moved to find the City Attorney in violation of Sunshine Ordinance Section 67.21(b) for failure to comply with a public records request within ten days following receipt of the request.

Public Comment:
Ray Hartz stated that the Complainant's only option was to go through the City Attorney for the records requested due to litigation;
Peter Warfield expressed concern over the City Attorney's claim to not having possession of the records requested by the Complainant.

The motion FAILED by the following vote:
Ayes: 1 - Washburn
Noes: 7 - Knee, Pilpel, Sims, David, Oka, Fischer, Grant
Absent: 1 - Hyland

There being no further notions, the matter concluded.

10. **Approval of Minutes from the January 16, 2013, Special Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE items 10 through 15 to August 7, 2013.

Public Comment:
Peter Warfield suggested agendizing the minutes first on the agenda.

The motion PASSED without objection.

11. **Approval of Minutes from the February 6, 2013, Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE items 10 through 15 to August 7, 2013.

Public Comment:
Peter Warfield suggested agendizing the minutes first on the agenda.

The motion PASSED without objection.

12. **Approval of Minutes from the March 6, 2013, Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE items 10 through 15 to August 7, 2013.

Public Comment:
Peter Warfield suggested agendizing the minutes first on the agenda.

The motion PASSED without objection.

13. **Approval of Minutes from the April 3, 2013, Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE items 10 through 15 to August 7, 2013.

Public Comment:
Peter Warfield suggested agendizing the minutes first on the agenda.

The motion PASSED without objection.

14. **Approval of Minutes from the May 1, 2013, Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE items 10 through 15 to August 7, 2013.

Public Comment:
Peter Warfield suggested agendizing the minutes first on the agenda.

The motion PASSED without objection.

15. **Approval of Minutes from the June 5, 2013, Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE items 10 through 15 to August 7, 2013.

Public Comment:
Peter Warfield suggested agendizing the minutes first on the agenda.

The motion PASSED without objection.

16. **Report: Compliance and Amendments Committee meeting of June 18, 2013.**

Member Washburn, Chair of the Compliance and Amendments Committee, reported on the Committee's July 18, 2013, meeting. In partnership, the Chairs of the Committee and the Task Force will send a letter to the Ethics Commission in regards to File No. 12058, Dominic Maionchi against the Recreation and Park Department.

Public Comment:
Ray Hartz expressed support of the letter to Ethics Commission;
Peter Warfield expressed support of the letter to Ethics Commission.

17. **Report: Education, Outreach and Training Committee meeting of June 25, 2013.**

Member Pilpel, Chair of the Education, Outreach and Training Committee, reported on the committee's June 25, 2013, meeting.

Member Knee expressed disagreement with Chair Pilpel presiding over Complaint No. 12050, Ray Hartz against the Clerk of the Board of Supervisors, with the intention to conclude the matter and not abide by the Order of Determination of the Task Force.

Member David stated that he would recuse himself from all future complaints involving Ray Hartz while Member Pilpel is Chair of the Education, Outreach and Training Committee.

Public Comment:
Ray Hartz urged the Task Force to listen to the audio of the June 25, 2013, Education, Outreach and Training Committee meeting to hear Chair Pilpel readjudicate complaints and show bias against complainants;
Peter Warfield stated that as Chair of the Education, Outreach and Training Committee and as a member of the Task Force, Member Pilpel is incapable of being impartial.

(Member David was noted absent at 10:53 p.m.)

18. **Administrator's Report.**

Andrea Ausberry, Sunshine Ordinance Task Force Administrator, presented the report.

Public Comment:
None.

19. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Fischer wished Member Oka Happy Birthday.

Public Comment:
Ray Hartz stated that the consistency of how the title complaints are worded can affect the Task Force's determinations;

Peter Warfield expressed concern about which Task Force member will represent the Task Force at the Ethics Commission hearings.

20. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:57 p.m.

APPROVED: April 30, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

13-30-13 A10:12 IN

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

August 7, 2013 – 4:00 PM

GOVERNMENT
DOCUMENTS DEPT
JUL 30 2013
SAN FRANCISCO
PUBLIC LIBRARY

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	*(Vacant)*	Seat 8	Todd David
Seat 2	Richard Knee *(Hold Over)*	Seat 9	Chris Hyland
Seat 3	Kitt Grant – **Chair**	Seat 10	Louise Fischer – **Vice Chair**
Seat 4	*(Vacant)*	Seat 11	Bruce Oka *(Hold Over)*
Seat 5	Allyson Washburn *(Hold Over)*		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	*(Vacant)*

2. **Election of Chair and Vice Chair - Election of Officers; per Article II, Section 3 of the By-Laws:** "The Officers shall be elected at the first regular meeting of the Task Force held on or before July 1 of each year, or at a subsequent meeting, the date of which shall be fixed by the Task Force at the first regular meeting on or after July 1 of each year. If any Task Force office becomes vacant, that office shall be filled at the first meeting after the vacancy occurs." *(approximately 15 minutes)* (Discussion and Action)

3. **File No. 12007:** The Education, Outreach and Training Committee has referred File No. 12007, the Library Users Association against Supervisor Campos for responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

4. **File No. 12058:** The Compliance and Amendments Committee has referred File No. 12058, Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

5. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. *(No Action)* ***Public comment shall be taken at 5:00 pm or as soon thereafter as possible.***

6. **File No. 12055:** Complaint filed by Wood Robbins, LLP, representing Pacific Polk Properties, LLC against Dennis Herrera, City Attorney for allegedly not producing documents pertaining to the project at 1601 Larkin Street. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Wood Robbins, LLP, representing Pacific Polk Properties, LLC against Dennis Herrera, City Attorney for allegedly not producing documents pertaining to the project at 1601 Larkin Street. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Wood Robbins, LLP, representing Pacific Polk Properties, LLC against Dennis Herrera, City Attorney for allegedly not producing documents pertaining to the project at 1601 Larkin Street. *(approximately 45 minutes) (Discussion and Action)*

7. **File No. 13011:** Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary. *(approximately 45 minutes) (Discussion and Action)*

8. **File No. 13016:** Complaint filed by Richard Zimmerman against the Recreation and Parks Department for allegedly failing to completely comply with a records request for communications and documents referencing or regarding Coit Tower. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Richard Zimmerman against the Recreation and Parks Department for allegedly failing to completely comply with a records request for communications and documents referencing or regarding Coit Tower. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Richard Zimmerman against the Recreation and Parks Department for allegedly failing to completely comply with a records request for communications and documents referencing or regarding Coit Tower. *(approximately 45 minutes) (Discussion and Action)*

9. **Approval of Minutes from the January 16, 2013 Special Meeting.** *(approximately 5 minutes) (Action) (attachment)*

10. **Approval of Minutes from the February 6, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

11. **Approval of Minutes from the March 6, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

12. **Approval of Minutes from the April 3, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

13. **Approval of Minutes from the May 1, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

14. **Approval of Minutes from the June 5, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

15. **Approval of Minutes from the July 9, 2013 Special Meeting.** *(approximately 5 minutes) (Action) (attachment)*

16. **Report: Compliance and Amendments Committee meeting of July 16, 2013**. *(approximately 5 minutes) (Discussion) (attachment)*

17. **Administrator's Report.** *(approximately 5 minutes) (Discussion)*

18. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes) (Discussion and Action)*

19. **ADJOURNMENT**

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1.	Complainant presents his/her facts and evidence	5 minutes
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2.	City responds	5 minutes
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4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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August 7, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL AND AGENDA CHANGES**

The meeting was called to order at 4:17 p.m. Members Sims and Fischer noted absent. There was a quorum.

Chair Grant announced a request from the Complainant and Respondent for File No. 12055 (Item 6) to be continued to October 2, 2013. Chair Grant announced File No. 13016 (Item 8) was withdrawn by the Complainant. Chair Grant clarified that the election process of Chair and Vice Chair; (Item 2) was set on the agenda solely to determine a date to hold elections.

Member Knee, seconded by Member Pilpel, moved to CONTINUE File No. 12055 to October 2, 2013.

Public Comment:
Peter Warfield requested to know the reasoning for the continuance of File No. 12055.

The motion PASSED by the following vote:
Ayes: 7 – Knee, Washburn, Pilpel, David, Hyland, Oka, Grant
Absent: 2 – Sims, Fischer

2. **Election of Chair and Vice Chair - Election of Officers, per Article II, Section 3, of the Task Force Bylaws.**

Member Knee, seconded by Member Pilpel, moved schedule the election of Chair and Vice Chair of the Task Force to September 4, 2013.

Public Comment:
Ray Hartz, Jr. advised the Task Force to consider leadership abilities when electing officers.

The following summary was provided by a speaker, pursuant to Administrative Code Section 67.16. The content was neither generated by, nor subject to approval or verification of accuracy by, the Sunshine Ordinance Task Force.

Ray Hartz, Jr. submitted the following additional information for Public Comment as follows:

Agenda Item (2) Public Comment (150 words):

When considering who should lead the SOTF, you must consider a contender's leadership abilities. In two ODs Chair Grant, who voted against both orders, used her discretion to direct both to EOT rather than CA for enforcement. While we might argue whether that is an abuse of discretion, the result cannot be disputed. SFPD made no changes to improve its response to public record requests and the Clerk of the BOS has simply refused to comply with your order and has openly defied your authority. The Sunshine Ordinance complaint process is an arduous one for all involved. Why should the members of this Task Force waste their time if the end result is not an improvement in open government but a degradation of the purposes for which the SOTF exists? An effective leader would use the energy of all your members to move forward toward more open government! Choose thoughtfully!

The motion PASSED by the following vote:
Ayes: 7 – Knee, Washburn, Pilpel, David, Hyland, Oka, Grant
Absent: 2 – Sims, Fischer

3. **File No. 12007:** The Education, Outreach and Training Committee has referred File No. 12007, the Library Users Association against Supervisor Campos for responding late to an immediate disclosure request and redacting information from Bernal Heights Branch Library Mural related documents inappropriately.

Peter Warfield (Complainant) provided an overview of the complaint, findings, follow-up, and requested the Task Force to find violations. There were no speakers in support of the Complainant. The Complainant responded to questions raised throughout the discussion. Supervisor Campos (Respondent) provided an overview of his Office's defense and follow-up. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. Complainant provided a rebuttal and further requested the Task Force to find a violation.

Public Comment: Ray Hartz stated that the matter should be referred for enforcement; Kate Patterson stated that the Ethics Commission supports Supervisor Campos' stance regarding redactions and that the Bernal Heights mural is not a City mural nor is it the responsibility of the City; Paula Datesh stated that the mural artist was not informed of changes to the mural; James Chaffee cited requirements of disclosure; Dominic Maionchi expressed appreciation for Campos having policies and procedures in place; Robert Livingston offered a history of the mural.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION. MATTER IS CONCLUDED.

Members Sims and Fischer were noted present at an undetermined time.

4. **File No. 12058:** The Compliance and Amendments Committee has referred File No. 12058, Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders.

Dominic Maionchi (Complainant) provided an overview of the complaint, findings, and follow-up and requested the Task Force to find violations. There were no speakers in support of the Complainant. Olive Gong, Custodian of Records, Recreation and Park Department (Respondent), provided an overview of the Recreation and Park Department's defense and follow-up. There were no speakers in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find a violation.

Member Knee, seconded by Member Pilpel, moved CONTINUE to September 4, 2013, for Members Sims, Washburn with assistance from Jerry Threet, Deputy Attorney, Sunshine Ordinance Task Force to draft a letter to the Ethics Commission.

Public Comment:
Peter Warfield requested to know the reasoning for the continuance of File No. 12058.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Washburn, Pilpel, Sims, Hyland, Oka, Fischer, Grant
Noes: 1 – David

5. **Public Comment:**
Ray Hartz stated that Task Force Member Todd David had violated the Sunshine Ordinance.
James Chaffee presented a Sunshine Bill of Rights.
Peter Warfield pointed to the public's right of participation in government.

The following summary was provided by a speaker, pursuant to Administrative Code Section 67.16. The content was neither generated by, nor subject to approval or verification of accuracy by, the Sunshine Ordinance Task Force.

Ray Hartz, Jr. submitted the following summary for this item:

Agenda Item (5) Public Comment (150 words):

The section of the ordinance I have just read was blatantly violated at your last meeting by member Todd David. Interrupting my public comment, going on a tirade, and then storming out of the meeting shows a total lack of understanding of the ordinance. Those same actions were clearly an abridgment of public testimony. The fact that a person is eventually allowed to complete their public testimony does not lessen the offense. It is perfectly legitimate for any member of the public to appear before a board or commission and call to the attention of its members the actions of an individual member. Far from being any sort of personal attack, it is nothing less than "petitioning Government for a redress of grievances." While any member has the right to "respond" they do not have the right to "attack" a member of the public for their comments!

Recess - 6:10 p.m. to 6:29 p.m.

6. **File No. 12055:** Complaint filed by Wood Robbins, LLP, representing Pacific Polk Properties, LLC against Dennis Herrera, City Attorney for allegedly not producing documents pertaining to the project at 1601 Larkin Street.

Member Knee, seconded by Member Pilpel, moved to accept the Complainant and Respondent's request to CONTINUED File No. 12055 to October 2, 2013.

Public Comment:
Peter Warfield requested to know the reasoning for the continuance of File No. 12055.

The motion PASSED by the following vote:
Ayes: 7 – Knee, Washburn, Pilpel, David, Hyland, Oka, Grant
Absent: 2 – Sims, Fischer

7. **File No. 13011:** Complaint filed by Paula Datesh against the Arts Commission for allegedly not providing documents relating to Evelyn Russell, former Arts Commission Secretary.

Paula Datesh (Complainant) did not provide the additional documents requested by the Task Force at the July 9, 2013 meeting. There were no speakers in support of Complainant. Kate Patterson, Arts Commission (Respondent), provided an overview of the Arts Commission's defense and requested the Task Force to dismiss the complaint. There were no speakers in support of Respondent. A question and answer period followed. Respondent provided a rebuttal and stated that the Commission had not

violated the Sunshine Ordinance. Complainant provided a rebuttal stating the matter of the complaint was brought before the Task Force in a previous complaint.

Public Comment:
None.

Due to lack of a motion, the Task Force FOUND NO VIOLATION. MATTER IS CONCLUDED.

8. **File No. 13016:** Complaint filed by Richard Zimmerman against the Recreation and Park Department for allegedly failing to completely comply with a records request for communications and documents referencing or regarding Coit Tower.

Complaint withdrawn by Complainant.

9. **Approval of Minutes from the January 16, 2013 Special Meeting**

Member Pilpel, seconded by Member David, moved to approve the January 16, 2013, special meeting minutes as corrected.

Public Comment:
None.

The motion PASSED without objection.

10. **Approval of Minutes from the February 6, 2013 Regular Meeting**

Member Pilpel, seconded by Member David, moved to approve the February 6, 2013, regular meeting minutes as corrected.

Public Comment:
None.

The motion PASSED without objection.

11. **Approval of Minutes from the March 6, 2013 Regular Meeting.**

Member Knee, seconded by Member David, moved to CONTINUE items 11 through 15 to September 4, 2013.

Public Comment:
None.

The motion PASSED without objection.

12. **Approval of Minutes from the April 3, 2013 Regular Meeting.**

Member Knee, seconded by Member David, moved to CONTINUE items 11 through 15 to September 4, 2013.

Public Comment:
None.

The motion PASSED without objection.

13. **Approval of Minutes from the May 1, 2013, Regular Meeting.**

Member Knee, seconded by Member David, moved to CONTINUE items 11 through 15 to September 4, 2013.

Public Comment:
None.

The motion PASSED without objection.

14. **Approval of Minutes from the June 5, 2013, Regular Meeting.**

Member Knee, seconded by Member David, moved to CONTINUE items 11 through 15 to September 4, 2013.

Public Comment:
None.

The motion PASSED without objection.

15. **Approval of Minutes from the July 9, 2013, Special Meeting.**

Member Knee, seconded by Member David, moved to CONTINUE items 11 through 15 to September 4, 2013.

Public Comment:
None.

The motion PASSED without objection.

16. **Report: Compliance and Amendments Committee meeting of July 16, 2013.**

The report was given by Member Washburn, Chair of the Compliance and Amendments Committee, on the July 16, 2013 meeting on behalf of the Compliance and Amendments Committee.

Public Comment:
None.

17. **Administrator's Report.**

The report was given by Andrea Ausberry, Sunshine Ordinance Task Force Administrator, on behalf of the Sunshine Ordinance Task Force Office.

Public Comment:
None.

18. **Announcements, Comments, Questions, and Future Agenda Items.**

Chair Grant polled the Task Force Members to determine availability for the September 4, 2013, due to its regular meeting day falling after the Labor Day holiday; the September meeting will convene on its regular meeting day (first Wednesday of each month). Member Pilpel, Chair Education, Outreach and Training announced a special meeting will be held in August.

19. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:30 p.m.

APPROVED: April 30, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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AUG 30 2013
SAN FRANCISCO
PUBLIC LIBRARY

September 4, 2013 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	*(Vacant)*	Seat 8	Todd David
Seat 2	Richard Knee *(Hold Over)*	Seat 9	Chris Hyland
Seat 3	Kitt Grant – **Chair**	Seat 10	Louise Fischer – **Vice Chair**
Seat 4	*(Vacant)*	Seat 11	Bruce Oka *(Hold Over)*
Seat 5	Allyson Washburn *(Hold Over)*		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	*(Vacant)*

2. **Election of Chair and Vice Chair - Election of Officers; per Article II, Section 3 of the By-Laws:** "The Officers shall be elected at the first regular meeting of the Task Force held on or before July 1 of each year, or at a subsequent meeting, the date of which shall be fixed by the Task Force at the first regular meeting on or after July 1 of each year. If any Task Force office becomes vacant, that office shall be filled at the first meeting after the vacancy occurs." *(approximately 15 minutes)* (Discussion and Action)

3. **File No. 12056:** The Compliance and Amendments Committee has referred File No. 12056, Allen Grossman against John St. Croix, Executive Director, Ethics Commission for allegedly failing to justify withholding unidentified public records as exempt under provisions of the Sunshine Ordinance. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

4. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. *(No Action)* ***Public comment shall be taken at 5:00 pm or as soon thereafter as possible.***

5. **File No. 12058:** The Compliance and Amendments Committee has referred File No. 12058, Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

6. **File No. 12059:** The Compliance and Amendments Committee has referred File No. 12059, Supreet Pabla, SEIU Local 1022 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

7. **File No. 13012:** Complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(approximately 45 minutes) (Discussion and Action)*

8. **File No. 13017:** Complaint filed by William Clark against the Office of the City Attorney for allegedly failing to provide a response to a records request regarding communications between the Arts Commission and Office of the City Attorney concerning time billing for FY 2010-2011. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by William Clark against the Office of the City Attorney for allegedly failing to provide a response to a records request regarding communications between the Arts Commission and Office of the City Attorney concerning time billing for FY 2010-2011. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by William Clark against the Office of the City Attorney for allegedly failing to provide a response to a records request regarding communications between the Arts Commission and Office of the City Attorney concerning time billing for FY 2010-2011. *(approximately 45 minutes) (Discussion and Action)*

9. **File No. 13019:** Complaint filed by Michael Petrelis against the Office of the District Attorney for allegedly violating Sunshine Ordinance section 67.29-6; failing to disclose statements regarding financial interest with the City from donors. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Michael Petrelis against the Office of the District Attorney for allegedly violating Sunshine Ordinance section 67.29-6; failing to disclose statements regarding financial interest with the City from donors. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by Michael Petrelis against the Office of the District Attorney for allegedly violating Sunshine Ordinance §67.29-6; failing to disclose statements regarding financial interest with the City from donors. *(approximately 45 minutes) (Discussion and Action)*

10. **Approval of Minutes from the March 6, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

11. **Approval of Minutes from the April 3, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

12. **Approval of Minutes from the May 1, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

13. **Approval of Minutes from the June 5, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

14. **Approval of Minutes from the July 9, 2013 Special Meeting.** *(approximately 5 minutes) (Action) (attachment)*

15. **Approval of Minutes from the August 7, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

16. **Report: Compliance and Amendments Committee meeting of August 20, 2013.** *(approximately 5 minutes) (Discussion) (attachment)*

17. **Administrator's Report.** *(approximately 5 minutes) (Discussion)*

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Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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September 4, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL AND AGENDA CHANGES**

The meeting was called to order at 4:12 p.m. Members Washburn, David and Sims were noted absent. There was a quorum. Members Sims was noted present at 4:25 p.m.

Acting Administrator Victor Young announced a request that File No. 12059 (Item 6) be continued, was received from both the Complainant and Respondent.

Member Knee, seconded by Member Hyland, moved to accept the Complainant's and Respondent's request for continuance of File No. 12059 with corrections to the title and CONTINUE to October 2, 2013.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 6 – Knee, Pilpel, Hyland, Oka, Fischer, Grant
Absent: 3 – Washburn, Sims, David
Noes: 0

2. **Election of Chair and Vice Chair - Election of Officers; per Article II, Section 3 of the By-Laws.**

Vice-Chair Fischer, acting as Chair Pro Tem, requested nominations by the SOTF for the position of Chair.

Member Pilpel, seconded by Member Knee, nominated Member Grant to the position of Chair.

Public Comment:
Ray Hartz, Jr. suggested that the Task Force delay the election of officers to allow all members a chance to participate in the selections.

Member Grant was elected to the position as Chair of the SOTF by the following vote:

Ayes: 6 – Knee, Pilpel, Sims, Hyland, Fisher, Grant
Noes: 1 - Oka
Absent: 2 – Sims, David

Chair Grant assumed the position of Chair of the SOTF and requested nominations by the SOTF for the position of Vice-Chair.

Member Knee, seconded by member Pilpel, nominated Louise Fischer to the position of Vice-Chair of the SOTF.

Public Comment:
None.

Kitt Grant was elected to the position as Chair of the SOTF by the following vote:

Ayes: 7 – Knee, Pilpel, Sims, Hyland, Oka, Fisher, Grant
Absent: 2 – Sims, David

3. **File No. 12056:** The Compliance and Amendments Committee has referred File No. 12056, Allen Grossman against John St. Croix, Executive Director, Ethics Commission for allegedly failing to justify withholding unidentified public records as exempt under provisions of the Sunshine Ordinance.

Allen Grossman (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. John St. Croix, Executive Director, Ethics Commission (Respondent), provided an overview of the Ethics Commission defense and requested the Task Force to dismiss the complaint. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Member Knee, seconded by Member Hyland, moved to find John St. Croix, Executive Director, Ethics Commission, in violation of the Sunshine Ordinance and to refer the complaint to the Board of Supervisors and the Ethics Commission for procedural actions to remedy the violations.

Public Comment:
Ray Hartz expressed support with the motion and agreed that documents should be reviewed thoroughly before being exempted; Female Speaker expressed concerns with Ethics Commission staff.

The motion PASSED by the following vote:
Ayes: 6 – Knee, Sims, Hyland, Oka, Fischer, Grant
Noes: 1 – Pilpel
Absent: 2 – Washburn, David

4. **Public Comment:**
Ray Hartz expressed concern that the Education, Outreach and Training committee has not yet communicated with Clerk of the Board in regards to including a 150 word summary in the Board of Supervisors minutes and file additional complaints; Allen Grossman expressed concern over the lack of members at SOTF meeting to give the public a fair hearing and requested changes to the '6 vote rule'; Dominic Maionchi express concerns over statements made before the Ethics Commission and retention of sent e-mails from city officials; Female Speaker expressed concerns with the actions of the Ethics Commission staff during her office visit; James Chaffee expressed concerns of the Sunshine bill of Rights and the conduct of members of the SOTF.

5. **File No. 12058:** The Compliance and Amendments Committee has referred File No. 12058, Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders.

Dominic Maionchi (Complainant) provided an overview of the complaint and further requested the Task Force to find violations. There were no speakers in support of the Complainant. Olive Gong, Recreation and Park Department, (Respondent), provided an overview of the Recreation and Park Department defense and requested the Task Force to dismiss the complaint. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Member Sims, seconded by Member Pilpel, moved to continued to October 2, 2013, and to notice Phil Ginsberg, General Manager, and Ms. Ballard, Recreation and Park Department, directly of the meeting.

Public Comment:
Ray Hartz expressed that notices to departments is the same as noticing the department head.

The motion PASSED by the following vote:
Ayes: 7 – Knee, Pilpel, Sims, Hyland, Oka, Fischer, Grant
Absent: 2 – Washburn, David

6. **File No. 12059:** The Compliance and Amendments Committee has referred File No. 12059, Supreet Pabla, SEIU Local 1021 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees.

   This item was continued to the October 2, 2013, meeting of the SOTF under 'Agenda Changes'

7. **File No. 13012:** Complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge.

   Member Knee, seconded by Member Hyland, moved to find jurisdiction.

   Public Comment:
   None.

   The motion PASSED without objection.

   Michael Fondanova (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Margaret Sing, Assessor/Recorder's Office, (Respondent), provided an overview of the Office of the Assessor-Recorder's defense and requested the Task Force to dismiss the complaint. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Respondent did not provide a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

   Member Pilpel, seconded by Member Knee, moved to continue the item to October 2, 2013, to allow the Assessor/Recorder's Office to perform additional research.

   Public Comment:
   None.

   The motion PASSED by the following vote:
   Ayes: 7 – Knee, Pilpel, Sims, Hyland, Oka, Fischer, Grant
   Absent: 2 – Washburn, David

MEETING RECESS - 6:24 p.m. to 6:33 p.m.

8. **File No. 13017:** Complaint filed by William Clark against the Office of the City Attorney for allegedly failing to provide a response to a records request regarding communications between the Arts Commission and Office of the City Attorney concerning time billing for FY 2010-2011.

   Member Pilpel, seconded by Member Knee, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

William Clark (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Jack Song, City Attorney's Office, (Respondent), provided an overview of the Office of the City Attorney defense and requested the Task Force to dismiss the complaint. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Respondent did not provide a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violation.

Member Knee, seconded by Member Hyland, moved to find Jack Song, City Attorney's Office, in violation of Sunshine Ordinance Section 67.21(e) due to his absence from the meeting prior to the conclusion.

Public Comment:
Robert Clark and Female Speaker expressed concern that there was not a representative from the City Attorney's Office to answer questions.

The motion FAILED by the following vote:
Ayes: 3 – Knee, Hyland, Oka
Noes: 4 – Pilpel, Sims, Fischer, Grant
Absent: 2 – Washburn, David

Public Comment:
Robert Clark expressed various concerns; Female Speaker expressed concerns over the record keeping methods of the City Attorney Office.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

9. **File No. 13019:** Complaint filed by Michael Petrelis against the Office of the District Attorney for allegedly violating Sunshine Ordinance section 67.29-6; failing to disclose statements regarding financial interest with the City from donors. *(attachment)*

Michael Petrelis (Complainant) did not appear for the hearing. There were no speakers in support of the Complainant. Katie Miller, District Attorney's Office, (Respondent), stated that the District Attorney had provided their argument in writing and was opposed to a continuance. There were no speakers who offered facts and evidence in support of the Respondent.

Member Sims, seconded by Member Oka, moved to continue the item to October 2, 2013.

Public Comment:
None.

The motion FAILED by the following vote:
Ayes: 3 – Knee, Sims, Oka
Noes: 4 – Pilpel, Hyland, Fischer, Grant
Absent: 2 – Washburn, David

Member Knee, seconded by Member Hyland, moved to table the item.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 3 – Knee, Sims, Hyland, Oka
Noes: 4 – Pilpel, Fischer, Grant
Absent: 2 – Washburn, David

10. **Approval of Minutes from the March 6, 2013 Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE Items 10 through 15, to the October 2, 2013, meeting.

Public Comment: None.

The motion PASSED without objection.

11. **Approval of Minutes from the April 3, 2013 Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE Items 10 through 15, to the October 2, 2013, meeting.

Public Comment: None.

The motion PASSED without objection.

12. **Approval of Minutes from the May 1, 2013 Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE Items 10 through 15, to the October 2, 2013, meeting.

Public Comment: None.

The motion PASSED without objection.

13. **Approval of Minutes from the June 5, 2013 Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE Items 10 through 15, to the October 2, 2013, meeting.

Public Comment: None.

The motion PASSED without objection.

14. **Approval of Minutes from the July 9, 2013 Special Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE Items 10 through 15, to the October 2, 2013, meeting.

Public Comment: None.

The motion PASSED without objection.

15. **Approval of Minutes from the August 7, 2013 Regular Meeting.**

Member Pilpel, seconded by Member Knee, moved to CONTINUE Items 10 through 15, to the October 2, 2013, meeting.

Public Comment: None.

The motion PASSED without objection.

16. **Report: Compliance and Amendments Committee meeting of August 20, 2013.**

Member Knee provided a summary of the Compliance and Amendments Committee meeting of August 20, 2013.

Speakers: None.

17. **Administrator's Report.**

Report was given by Andrea Ausberry, Sunshine Ordinance Task Force Administrator.

18. **Announcements, Comments, Questions, and Future Agenda Items**

Member Knee stated that he will be unavailable from September 13, 2013, to September 27, 2013; expressed concern of the vacancies of seats 1 and 4 of the SOTF and request that action be taken to request the positions be filled.

Member Pilpel stated that a special meeting of the Education, Outreach and Training Committee has been scheduled for September 16, 2013, at 3:00 p.m.

19. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:38 p.m.

APPROVED: April 30, 2014

Victor Young
Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

09-25-13 A10:43 IN

October 2, 2013 – 4:00 PM

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Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	*(Vacant)*	Seat 8	Todd David
Seat 2	Richard Knee *(Hold Over)*	Seat 9	Chris Hyland
Seat 3	Kitt Grant – **Chair**	Seat 10	Louise Fischer – **Vice Chair**
Seat 4	*(Vacant)*	Seat 11	Bruce Oka *(Hold Over)*
Seat 5	Allyson Washburn *(Hold Over)*		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	*(Vacant)*

2. **File No. 12058:** The Compliance and Amendments Committee has referred File No. 12058, Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

3. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. *(No Action)* ***Public comment shall be taken at 5:00 pm or as soon thereafter as possible.***

4. **File No. 12059:** The Compliance and Amendments Committee has referred File No. 12059, Supreet Pabla, SEIU Local 1022 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

5. **File No. 13013:** The Compliance and Amendments Committee has referred File No. 13013, of Ray Hartz Jr., against Luis Herrera, City Librarian for allegedly abridging public comment by allowing selective accessibility of library audio visual equipment. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

6. **File No. 13012:** Complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide complete records associated with Glad Tidings Church and San Francisco Teen Challenge. *(approximately 45 minutes) (Discussion and Action)*

7. **File No. 13021:** Complaint filed by Patrick Monette-Shaw and Maria Rivero, MD against the Public Health Commission for allegedly violating Sunshine Ordinance §§ 67.7(a), 67.7(b), and 67.9(a); failing to notice members of the public, and noticing a deficient agenda. *(attachment)*

   (a) Determination of jurisdiction on complaint filed Patrick Monette-Shaw and Maria Rivero, MD against the Public Health Commission for allegedly violating Sunshine Ordinance §§ 67.7(a), 67.7(b), and 67.9(a); failing to notice members of the public, and noticing a deficient agenda. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Patrick Monette-Shaw and Maria Rivero, MD against the Public Health Commission for allegedly violating Sunshine Ordinance §§ 67.7(a), 67.7(b), and 67.9(a); failing to notice members of the public, and noticing a deficient agenda. *(approximately 45 minutes) (Discussion and Action)*

8. **File No. 13024:** Complaint filed by Mica Ringel against the Planning Department for allegedly failing to provide requested records associated with the proposed development of 480 Potrero Avenue. *(attachment)*

   (a) Determination of jurisdiction on complaint filed Mica Ringel against the Planning Department for allegedly failing to provide requested records associated with the proposed development of 480 Potrero Avenue. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Mica Ringel against the Planning Department for allegedly failing to provide requested records associated with the proposed development of 480 Potrero Avenue. *(approximately 45 minutes) (Discussion and Action)*

9. **Approval of Minutes from the March 6, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

10. **Approval of Minutes from the April 3, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

11. **Approval of Minutes from the May 1, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

12. **Approval of Minutes from the June 5, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

13. **Approval of Minutes from the July 9, 2013 Special Meeting.** *(approximately 5 minutes) (Action) (attachment)*

14. **Approval of Minutes from the August 7, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

15. **Approval of Minutes from the September 4, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

16. **Report: Compliance and Amendments Committee meeting of September 17, 2013**. *(approximately 5 minutes) (Discussion)*

17. **Report: Education, Outreach and Training Committee meeting of September 16, 2013**. *(approximately 5 minutes) (Discussion)*

18. **Administrator's Report.** *(approximately 5 minutes) (Discussion)*

19. **Announcements, Comments, Questions, and Future Agenda Items.** *(approximately 10 minutes) (Discussion and Action)*

20. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these documents, please contact the SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-7854; or email sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

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SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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October 2, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL AND AGENDA CHANGES**

The meeting was called to order at 4:10 p.m. Chair Grant and Members Pilpel and Hyland were noted absent. There was a quorum. Vice Chair Fischer presided over the meeting. Member Hyland was noted present at 4:55 p.m. Member Sims was noted absent at 7:57 p.m.

Vice Chair Fischer announced a request for File No. 12059 (Item 4) be continued to November 5, 2013, by the Complainant and Respondent.

The Complainant of File No. 12058 (Item 2) requested a continuance of his hearing due to the affect of member absences on the determination of the complaint.

Member Knee, seconded by Member Washburn, moved to accept the Complainants and Respondents' request for continuance of File Nos. 12058 and 12059 to November 6, 2013.

Public Comment:
Allen Gross expressed opposition with the members' absences; Peter Warfield requested additional information on the reason for the continuance of complaint No. 12059; Patrick Monette-Shaw requested the members uphold absences as stated in Sunshine Ordinance Task Force bylaws; Dominic Maionchi expressed reasoning of his request for continuance of Complaint No. 12058; Ray Hartz expressed six members being present would not make a fair determination on today's complaints.

The motion PASSED by the following vote:
Ayes: 5 –Washburn, Sims, David, Oka, Fischer
Noes: 1 – Knee
Absent: 3 – Pilpel, Hyland, Grant

2. **File No. 12058:** The Compliance and Amendments Committee has referred File No. 12058, Dominic Maionchi against the Recreation and Park Department for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders.

   Continuance requested by Complainant. Motion Passed (Item 1).

MEETING RECESS - 4:50 p.m. to 5:00 p.m.

3. **Public Comment:**
   Allen Grossman announced the Ethics Commission's new draft of regulations;
   Ray Hartz expressed concern with the Education, Outreach and Training Committee Chair not drafting a letter to the Clerk of the Board as determined by the committee;
   Peter Warfield expressed the importance of open government;
   Male Speaker presented misconduct of Library Commission;
   Patrick Monette-Shaw expressed the Ethics Commission attempt to exempt themselves from hearing complaints referred for enforcement;
   Female Speaker expressed the treatment of the public by City agencies who request public records.

   ***The following summary was provided by a speaker, pursuant to Administrative Code Section 67.16. The content was neither generated by, nor subject to approval or verification of accuracy by, the Sunshine Ordinance Task Force.**

   Derek Kerr, MD submitted the following additional information for Public Comment as follows:

   Agenda Item (3) Public Comment (150 words):
   Derek Kerr's 150 Word Summary for inclusion in body of SOTF – OCTOBER 2, 2013 Meeting Minutes

   *Burying my Commendation under the misleading agenda item "LHH Update" follows a pattern of deception. For example, Laguna Honda CEO Mivic Hirose was required to read this Commendation before the hospital's 40-member Leadership Forum. Instead, she read it to 11 members of her Executive Committee. After we complained, Hirose complied. Also, DPH Director Barbara Garcia had to retract a DPH Press Release that had labeled us "detractors" who made "false statements" about misappropriated patient funds. The first retraction was unsigned. We complained. Garcia signed the second version, but it was a Memo - not a Press Release. We complained again, and she complied. Lucky for us, we could appeal these Settlement violations to the Court. Now, we appeal to you because the Sunshine Ordinance was violated. This habitual misconduct will persist unless you monitor the Health Department and Commission for compliance.

4. **File No. 12059:** The Compliance and Amendments Committee has referred File No. 12059, Supreet Pabla, SEIU Local 1021 against Human Services Agency for allegedly

failing to provide records requested relevant to the representation of the bargaining unit's employees.

Continuance requested by Complainant and Respondent. Motion Passed (Item 1).

5. **File No. 13013:** The Compliance and Amendments Committee has referred File No. 13013, of Ray Hartz Jr., against Luis Herrera, City Librarian for allegedly abridging public comment by allowing selective accessibility of library audio visual equipment.

Ray Hartz Jr., (Complainant) provided an overview of the complaint; the Library Commission continues to deny access to its equipment to present documents and /or PowerPoint presentations during its meetings as it allows for guests of the commission. The Complainant further requested the Task Force to find violations. There were no speakers in support of the Complainant. Sue Blackman (Respondent), provided an overview of the Ethics Commission defense; the Library Commission is a policy body that has the right to not allow the public to use its audio visual equipment and the commission is in compliance with the Sunshine Ordinance. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. The Respondent waived rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Member Washburn, seconded by Member David, moved to find Luis Herrera, City Librarian, in violation of the Sunshine Ordinance as determined in the Order of Determination; referral to the Ethics Commission for enforcement.

Public Comment: Patrick Monette-Shaw expressed support of the referral; Male Speaker presented PowerPoint on visual impact of audio visual presentations when allowed access to equipment; Peter Warfield expressed support of the motion.

The motion PASSED by the following vote:
Ayes: 7– Knee, Washburn, Sims, David, Hyland, Oka, Fischer
Absent: 2 – Pilpel, Grant

Member Washburn, seconded by Member David, moved to find Luis Herrera, City Librarian in violation of the Sunshine Ordinance as determined in the Order of Determination; referral to the Board of Supervisors for enforcement.

The motion PASSED by the following vote:
Ayes: 6– Knee, Washburn, Sims, Hyland, Oka, Fischer
Noes: 1 – David
Absent: 2 – Pilpel, Grant

6. **File No. 13012:** Complaint filed by Michael Fondanova, representing Glad Tidings Church against the Office of the Assessor-Recorder for allegedly failing to provide

complete records associated with Glad Tidings Church and San Francisco Teen Challenge.

Item continued from September 4, 2013 meeting. Jurisdiction determined.

Michael Fondanova (Complainant) provided an overview of the complaint and requested the Task Force to find violations. There were no speakers in support of the Complainant. Margaret Sing, Assessor - Recorder's Office, (Respondent), provided an overview of the Office of the Assessor-Recorder's defense; all non-exempt documents have been handed over to the Complainant. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

7. **File No. 13021:** Complaint filed by Patrick Monette-Shaw and Maria Rivero, MD against the Public Health Commission for allegedly violating Sunshine Ordinance §§ 67.7(a), 67.7(b), and 67.9(a); failing to notice members of the public, and noticing a deficient agenda.

Member Knee, seconded by Member David, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 7 – Knee, Washburn, Sims, David, Hyland, Oka, Fischer
Absent: 2 – Pilpel, Grant

Patrick-Monette-Shaw and Maria River, MD (Complainants) provided an overview of the complaint; the intention of the Public Health Commission was to not provide a meaningful description of the item as an accommodation regarding Dr. Kerr and listed the item generically "Laguna Honda Update". The Complainants requested the Task Force to find violations. Dr. Kerr presented facts and evidence in support of the Complainants. Mark Morewitz, Executive Secretary, Public Health Commission (Respondent), provided an overview of the Public Health Commission's defense; the item was written by the advice of their City Attorney. The Commission has since taken steps to ensure future items are written in compliance with the Sunshine Ordinance. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Public Comment:
None.

Member Washburn, seconded by Member Oka, moved to find the Public Health Commission in violation of §§ 67.7(a), 67.7(b) and 67.9(a); referral to the

Compliance and Amendments Committee to provide guidance on constructing agendas.

The motion PASSED by the following vote:
Ayes: 7 – Knee, Washburn, Sims, David, Hyland, Oka, Fischer
Absent: 2 – Pilpel, Grant

MEETING RECESS - 6:55 p.m. to 7:00 p.m.

8. **File No. 13024:** Complaint filed by Mica Ringel against the Planning Department for allegedly failing to provide requested records associated with the proposed development of 480 Potrero Avenue.

Member Knee, seconded by Member Sims, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Mica Ringel (Complainant) provided an overview of the complaint; requested to view complete case file, through research and requests the Complainant noticed missing files not included in the original request for records. The Complainant requested the Task Force to find violations. There were no speakers in support of the Complainant. Lulu Hwang, Custodian of Records, Planning Department (Respondent), provided an overview of the Planning Department's defense; missing documents were retrieved and handed over to the Complainant on a disk. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Member Knee, seconded by Member Washburn, moved to find the Planning Department, in violation of the Sunshine Ordinance §§67.26 and 67.27.

Public Comment:
None.

The motion FAILED by the following vote:
Ayes: 4 –Washburn, Hyland, Oka, Fischer
Noes: 2 – Knee, David
Absent: 3 – Pilpel, Sims, Grant

Member Knee, seconded by Member Washburn, moved to find the Planning Department, in violation of the Sunshine Ordinance §§67.21(a) and 67.29-7; referral to Compliance and Amendments Committee.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 6 – Knee, Washburn, David, Hyland, Oka, Fischer
Absent: 3 – Pilpel, Sims, Grant

9. **Approval of Minutes from the March 6, 2013 Regular Meeting.**

Member Washburn, seconded by Member Hyland, moved to CONTINUE Items 9 through 15, to the November 6, 2013 meeting.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 6– Knee, Washburn, David, Hyland, Oka, Fischer
Absent: 3 – Pilpel, Sims, Grant

10. **Approval of Minutes from the April 3, 2013 Regular Meeting.**

Member Washburn, seconded by Member Hyland, moved to CONTINUE Items 9 through 15, to the November 6, 2013 meeting.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 6– Knee, Washburn, David, Hyland, Oka, Fischer
Absent: 3 – Pilpel, Sims, Grant

11. **Approval of Minutes from the May 1, 2013 Regular Meeting.**

Member Washburn, seconded by Member Hyland, moved to CONTINUE Items 9 through 15, to the November 6, 2013 meeting.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 6– Knee, Washburn, David, Hyland, Oka, Fischer
Absent: 3 – Pilpel, Sims, Grant

12. **Approval of Minutes from the June 5, 2013 Regular Meeting.**

Member Washburn, seconded by Member Hyland, moved to CONTINUE Items 9 through 15, to the November 6, 2013 meeting.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 6– Knee, Washburn, David, Hyland, Oka, Fischer
Absent: 3 – Pilpel, Sims, Grant

13. **Approval of Minutes from the July 9, 2013 Special Meeting.**

Member Washburn, seconded by Member Hyland, moved to CONTINUE Items 9 through 15, to the November 6, 2013 meeting.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 6– Knee, Washburn, David, Hyland, Oka, Fischer
Absent: 3 – Pilpel, Sims, Grant

14. **Approval of Minutes from the August 7, 2013 Regular Meeting.**

Member Washburn, seconded by Member Hyland, moved to CONTINUE Items 9 through 15, to the November 6, 2013 meeting.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 6– Knee, Washburn, David, Hyland, Oka, Fischer
Absent: 3 – Pilpel, Sims, Grant

15. **Approval of Minutes from the September 4, 2013 Regular Meeting.**

Member Washburn, seconded by Member Hyland, moved to CONTINUE Items 9 through 15, to the November 6, 2013 meeting.

Speaker: None.

The motion PASSED by the following vote:
Ayes: 6– Knee, Washburn, David, Hyland, Oka, Fischer
Absent: 3 – Pilpel, Sims, Grant

16. **Report: Compliance and Amendments Committee meeting of September 17, 2013.**

Member Washburn (Chair) provided a summary of the Compliance and Amendments Committee meeting of September 17, 2013.

Speakers: None.

17. **Report: Education, Outreach and Training Committee meeting of September 16, 2013.**

Member David (Vice-Chair) provided a summary of the Education, Outreach and Training Committee meeting of September 17, 2013.

18. **Administrator's Report.**

Report was given by Andrea Ausberry, Sunshine Ordinance Task Force Administrator.

19. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Knee announced, applications have been submitted for Seats 2 and 4 of the Task Force.

20. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:31 p.m.

APPROVED: April 30, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

10-28-13P03:47 RCVD

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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November 6, 2013 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	*(Vacant)*	Seat 8	Todd David
Seat 2	Richard Knee *(Hold Over)*	Seat 9	Chris Hyland
Seat 3	Kitt Grant – **Chair**	Seat 10	Louise Fischer – **Vice Chair**
Seat 4	*(Vacant)*	Seat 11	Bruce Oka *(Hold Over)*
Seat 5	Allyson Washburn *(Hold Over)*		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	*(Vacant)*

2. **Proposed Sunshine Ordinance Task Force Records Retention Schedule:** The Task Force shall prepare, maintain and adopt a records retention and destruction policy as provided in §8.3 of the San Francisco Administrative Code. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

3. **Pending Complaints and 45-Day Hearing Rule - Scheduling of Complaints**. *(approximately 30 minutes) (Discussion and Possible action)*

4. **File No. 12058:** The Compliance and Amendments Committee has referred File No. 12058, Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

5. **File No. 12059:** The Compliance and Amendments Committee has referred File No. 12059, Supreet Pabla, SEIU Local 1021 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

6. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. *(No Action)* ***Public comment shall be taken at 5:00 pm or as soon thereafter as possible.***

7. **File No. 13025:** Complaint filed by William Clark, against the Arts Commission for allegedly failing to provide of a written opinion from the City Attorney advising the Arts Commission on its current suspension and revocation procedures. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by William Clark, against the Arts Commission for allegedly failing to provide of a written opinion from the City Attorney advising the Arts Commission on its current suspension and revocation procedures. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by William Clark, against the Arts Commission for allegedly failing to provide of a written opinion from the City Attorney advising the Arts Commission on its current suspension and revocation procedures. *(approximately 45 minutes) (Discussion and Action)*

8. **File No. 13026:** Complaint filed by Ray Hartz, Jr., against Angela Calvillo, Clerk of the Board for allegedly violating Sunshine Ordinance §67.16 Minutes thereby censoring and abridging public comment violating §67.15 Public Testimony. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr., against Angela Calvillo, Clerk of the Board for allegedly violating Sunshine Ordinance §67.16 Minutes thereby censoring and abridging public comment violating §67.15 Public Testimony. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Ray Hartz, Jr., against Angela Calvillo, Clerk of the Board for allegedly violating Sunshine Ordinance §67.16 Minutes thereby censoring and abridging public comment violating §67.15 Public Testimony. *(approximately 45 minutes) (Discussion and Action)*

9. **File No. 13027:** Complaint filed by Ray Hartz, Jr., against Paula Jesson, District City Attorney for allegedly violating §67.21(i), by providing legal counsel for City employees having custody of public records for proposes of denying access to the public. *(attachment)*

   (a) Determination of jurisdiction on complaint filed by Ray Hartz, Jr., against Paula Jesson, Office of the City Attorney for allegedly violating §67.21(i), by providing legal counsel for City employees having custody of public records for proposes of denying access to the public. *(approximately 5 minutes) (Discussion and Action)*

   (b) Hearing on complaint filed by Ray Hartz, Jr., against Paula Jesson, Office of the City Attorney for allegedly violating §67.21(i), by providing legal counsel for City employees having custody of public records for proposes of denying access to the public. *(approximately 45 minutes) (Discussion and Action)*

10. **File No. 13028:** Complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly enforcing illegal group guidelines. *(attachment)*

    (a) Determination of jurisdiction on complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly enforcing illegal group guidelines. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly enforcing illegal group guidelines. *(approximately 45 minutes) (Discussion and Action)*

11. **File No. 13029:** Complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly denying the public to record the May 21, 2013 meeting. *(attachment)*

    (a) Determination of jurisdiction on complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly denying the public to record the May 21, 2013 meeting. *(approximately 5 minutes) (Discussion and Action)*

    (b) Hearing on complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly denying the public to record the May 21, 2013 meeting. *(approximately 45 minutes) (Discussion and Action)*

12. **Approval of Minutes from the March 6, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

13. **Approval of Minutes from the April 3, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

14. **Approval of Minutes from the May 1, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

15. **Approval of Minutes from the June 5, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

16. **Approval of Minutes from the July 9, 2013 Special Meeting.** *(approximately 5 minutes) (Action) (attachment)*

17. **Approval of Minutes from the August 7, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

18. **Approval of Minutes from the September 4, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

19. **Approval of Minutes from the October 2, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

20. **Administrator's Report.** *(approximately 5 minutes) (Discussion)*

21. **Announcements, Comments, Questions, and Future Agenda Items.** (*approximately 10 minutes) (Discussion and Action)*

22. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these documents, please contact the SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-7854; or email sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices (Chapter 67A of the San Francisco Administrative Code).

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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November 6, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:10 p.m. Member Pilpel David was noted absent. There was a quorum. Member David was noted present at 4:57 p.m.

Chair Grant announced a request for File No. 12059 (Item 5) be continued to December 4, 2013, by the Complainant and Respondent.

Member Pilpel, seconded by Member Oka, moved to accept the Complainants and Respondents' request for continuance of File No. 12059 to December 4, 2013.

Public Comment:
None.

The motion PASSED without objection.

2. **Proposed Sunshine Ordinance Task Force Records Retention Schedule:** The Task Force shall prepare, maintain and adopt a records retention and destruction policy as provided in §8.3 of the San Francisco Administrative Code.

Wilson Ng, Records Manager, Office of the Clerk of the Board presented the proposed retention schedule.

Member Pilpel, seconded by Member Hyland, moved to continue the item to December 4, 2013.

Public Comment:
Patrick Monette-Shaw questioned means of record content; Ray Hartz expressed the Index of Records is an import tool in researching records; Peter Warfield expressed concern with destruction of records and ADA compliancy of records; Jason Grant Garza expressed concern as to what defines a record.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Washburn, Pilpel, Sims, Hyland, Oka, Fischer, Grant
Absent: 1 – David

3. **Pending Complaints and 45-Day Hearing Rule - Scheduling of Complaints.**

Chair Grant presented a comparison of agendized complaints; the efficiency of complaints heard and Order of Determination made by current Task Force. The Task Force would have to meet twice a month to reach compliancy with the 45-Day Hearing Rule.

The Administrator will work with Building Management to secure additional dates for special meetings.

Public Comment:
Patrick Monette-Shaw expressed agreement with the Task Force meeting an additional day a month; Ray Hartz expressed concern with the Task Force adhering with 45-day rule; Peter Warfield expressed concern with the back-log of complaints and agreed with the Task Force meeting twice a month; Allen Grossman read a section of Ordinance regarding 3 minute public testimony rule; Jason Grant Garza expressed concern with a IDR he allegedly submitted and request for a hearing with before the Task Force.

4. **File No. 12058:** The Compliance and Amendments Committee has referred File No. 12058, Dominic Maionchi against Recreation and Park for allegedly failing to provide records requested pertaining to berthing contracts between the City and County of San Francisco and slip holders.

Dominic Maionchi (Complainant) provided an overview of the complaint. The Complainant further requested the Task Force to find violations. Patrick Monette-Shaw and Ray Hartz, Jr., spoke in support of the Complainant. Olive Gong (Respondent) provided an overview of Recreation and Park's defense; reiterating the department is not in violation according to their interpretation and the department policy to not disclose addresses. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Member Knee, seconded by Member Oka, moved to find the Recreation and Park Department in violation of the Sunshine Ordinance as determined in the Order of Determination (§§ 67.21(e), 67.24(g) and 67.34); referral to the Ethics Commission

for enforcement specifically naming Phil Ginsburg, Director, Recreation and Park Department responsible.

Public Comment:
Male Speaker expressed support for Complainant; Peter Warfield expressed support of Complainant.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Washburn, Pilpel, Sims, Hyland, Oka, Fischer, Grant
Absent: 1 – David

MEETING RECESS - 6:40 p.m. to 6:57 p.m.

5. **File No. 12059:** The Compliance and Amendments Committee has referred File No. 12059, Supreet Pabla, SEIU Local 1021 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees.

Continuance requested by Complainant and Respondent. Motion Passed (Item 1).

Member Pilpel, seconded by Member Oka, moved to accept the Complainants and Respondents' request for continuance of File No. 12059 to December 4, 2013.

6. **Public Comment:**
Ray Hartz expressed the 3 minute public testimony rule is not at the discretion of the body, but of the public; Patrick Monette-Shaw expressed utilizing the Superior Court when faced City actions against the public; Paula Datesh expressed concern with a permit revocation by the Arts Commission; James Chaffee presented a presentation regarding the Library Commission; Allen Grossman expressed concern with vacancies on the Task Force and pending referrals; Peter Warfield addressed the Superior Court ruling against the Ethic Commission; Jason Grant Garza expressed concern regarding an hearing request he allegedly submitted.

7. **File No. 13025:** Complaint filed by William Clark, against the Arts Commission for allegedly failing to provide of a written opinion from the City Attorney advising the Arts Commission on its current suspension and revocation procedures.

Member Knee, seconded by Member Pilpel, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

William Clark (Complainant) provided an overview of the complaint. The Complainant requested the Task Force to find violations. Robert Clark and Paula Datesh spoke in support of the Complainant. Howard Lazar (Respondent) provided an overview of the Arts Commission's defense. There were no speakers who offered facts and evidence in

support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. The Respondent waived rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Member Pilpel, seconded by Member Washburn, moved to find the Arts Commission in violation of Sunshine Ordinance §67.21(a).

Public Comment: Ray Hartz expressed concern of departments mischaracterizing the advice of their City Attorneys.

The motion FAILED by the following vote:
Ayes: 4 – Washburn, Pilpel, Hyland, Oka
Noes: 5 – Knee, David, Sims, Fischer, Grant

MATTER CONCLUDED.

8. **File No. 13026:** Complaint filed by Ray Hartz, Jr., against Angela Calvillo, Clerk of the Board for allegedly violating Sunshine Ordinance §67.16 Minutes thereby censoring and abridging public comment violating §67.15 Public Testimony.

Member Fischer, seconded by Member Hyland, moved to find jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Ray Hartz, Jr., (Complainant) provided an overview of the complaint. The Complainant requested the Task Force to find violations. There were no speakers who offered facts and evidence in support of the Complainant. Rick Caldeira, Deputy Director, Office of the Clerk of the Board (Respondent) provided an overview of the Clerk of the Board's defense; consideration is taken to not misrepresent speakers; speakers have the option to submit a 150-word summary. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. The Respondent waived rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Public Comment:
Male Speaker expressed the minutes should summarize the speaker's comments for archival purposes; Peter Warfield expressed support of the complainant.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

Member Knee, seconded by Member Hyland, moved to find a violation of Sunshine Ordinance §67.16 for failing to provide a summary each speakers' statement with clarity and precision.

Public Comment: Peter Warfield expressed the public has no power therefore minutes should be summarized; Male Speaker expressed he speaks on various issues during his public comment.

The motion FAILED by the following vote:
Ayes: 4 – Knee, Washburn, Hyland, Oka
Noes: 5 – Pilpel, Knee, Sims, David, Fischer, Grant

MATTER CONCLUDED.

9. **File No. 13027:** Complaint filed by Ray Hartz, Jr., against Paula Jesson, District City Attorney for allegedly violating §67.21(i), by providing legal counsel for City employees having custody of public records for proposes of denying access to the public.

Member Knee, seconded by Member Washburn, moved to find jurisdiction.

Public Comment:
Peter Warfield expressed support of finding jurisdiction.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Washburn, Sims, David, Hyland, Oka, Fischer, Grant
Noes: 1 – Pilpel

Ray Hartz, Jr., (Complainant) provided an overview of the complaint. The Complainant requested the Task Force to find violations. There were no speakers who offered facts and evidence in support of the Complainant. Paula Jesson (Respondent) was not present to provide an overview of District Attorney's defense. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. The Complainant further requested the Task Force to find violations.

Member Knee, seconded by Member David, moved to find Paula Jesson, District City Attorney in violation of Sunshine Ordinance §67.21(d), for failure to immediately order the release of records requested; §67.21(e), for failure of a representative to appear before the Task Force; referral to the Compliance and Amendments Committee.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Washburn, Sims, David, Hyland, Oka, Fischer, Grant
Noes: 1 – Pilpel

10. **File No. 13028:** Complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly enforcing illegal group guidelines.

Member Knee, seconded by Member Hyland, moved to find jurisdiction.

Lisa Blakely, Director of Support Services challenged jurisdiction due to pending mediation with the Community Housing Partnership and Health Services Agency; Charles Pitts expressed the complaint is within the Task Force's jurisdiction.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 9 – Knee, Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant

Charles Pitts (Complainant) provided an overview of the complaint. The Complainant requested the Task Force to find violations. There were no speakers who offered facts and evidence in support of the Complainant. Lisa Blakely, Director of Support Services (Respondent) provided an overview of the Community Housing Partnership's defense. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. The Respondent provided a rebuttal and requested the Task Force concluded the matter. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

Public Comment:
None.

MATTER CONCLUDED

11. **File No. 13029:** Complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly denying the public to record the May 21, 2013 meeting.

Member Knee, seconded by Member Hyland, moved to find jurisdiction.

Lisa Blakely, Director of Support Services challenged jurisdiction due to the fact of tenant meetings not being equivalent to its Board meetings; Charles Pitts expressed the complaint is within the Task Force's jurisdiction.

Public Comment:
None.

The motion PASSED without objection.

Charles Pitts (Complainant) provided an overview of the complaint. The Complainant requested the Task Force to find violations. There were no speakers who offered facts and evidence in support of the Complainant. Lisa Blakely, Director of Support Services (Respondent) provided an overview of the Community Housing Partnership's defense. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. The

Respondent provided a rebuttal and requested the Task Force concluded the matter. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Due to a lack of a motion, the Task Force FOUND NO VIOLATION.

Public Comment:
None.

MATTER CONCLUDED

12. **Approval of Minutes from the March 6, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 12 through 19, to the December 4, 2013 meeting.

Speaker:
None.

The motion PASSED without objection.

13. **Approval of Minutes from the April 3, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 12 through 19, to the December 4, 2013 meeting.

Speaker:
None.

The motion PASSED without objection.

14. **Approval of Minutes from the May 1, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 12 through 19, to the December 4, 2013 meeting.

Speaker:
None.

The motion PASSED without objection.

15. **Approval of Minutes from the June 5, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 12 through 19, to the December 4, 2013 meeting.

Speaker:
None.

The motion PASSED without objection.

16. **Approval of Minutes from the July 9, 2013 Special Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 12 through 19, to the December 4, 2013 meeting.

Speaker:
None.

The motion PASSED without objection.

17. **Approval of Minutes from the August 7, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 12 through 19, to the December 4, 2013 meeting.

Speaker:
None.

The motion PASSED without objection.

18. **Approval of Minutes from the September 4, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 12 through 19, to the December 4, 2013 meeting.

Speaker:
None.

The motion PASSED without objection.

19. **Approval of Minutes from the October 2, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 12 through 19, to the December 4, 2013 meeting.

Speaker:
None.

The motion PASSED without objection.

20. **Administrator's Report.**

Report was given by Andrea Ausberry, Sunshine Ordinance Task Force Administrator.

21. **Announcements, Comments, Questions, and Future Agenda Items**

Andrea Ausberry, Sunshine Ordinance Task Force Administrator, announced her resignation as Interim Task Force Administrator. Ms. Ausberry will transition into the legislative branch of the City and County of San Francisco; Member Pilpel announced the Ethics Commission will be amending its resolution and Education, Outreach and Training will be rescheduled.

22. **ADJOURNMENT**

Member Knee, seconded by Member Sims, moved to ADJOURN.

Public Comment:
None.

The motion PASSED without objection.

There being no further business, the Task Force adjourned at the hour of 10:00 p.m.

APPROVED: April 30, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
AGENDA

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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December 4, 2013 – 4:00 PM

Regular Meeting

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

Seat 1	*(Vacant)*	Seat 8	Todd David
Seat 2	Richard Knee *(Hold Over)*	Seat 9	Chris Hyland
Seat 3	Kitt Grant – **Chair**	Seat 10	Louise Fischer – **Vice Chair**
Seat 4	*(Vacant)*	Seat 11	Bruce Oka *(Hold Over)*
Seat 5	Allyson Washburn *(Hold Over)*		
Seat 6	David Pilpel	Ex-officio	Angela Calvillo
Seat 7	David Sims	Ex-officio	*(Vacant)*

2. **Proposed Sunshine Ordinance Task Force Records Retention Schedule:** The Task Force shall prepare, maintain and adopt a records retention and destruction policy as provided in §8.3 of the San Francisco Administrative Code. *(approximately 30 minutes) (Discussion and Possible action)*

3. **File No. 12059:** The Compliance and Amendments Committee has referred File No. 12059, Supreet Pabla, SEIU Local 1021 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees. *(approximately 30 minutes) (Discussion and Possible action) (attachment)*

4. **File No. 13024:** The Compliance and Amendments Committee has referred File No. 13024, Mica Ringel against the Planning Department for allegedly failing to provide requested records associated with the proposed development of 480 Potrero Avenue. (Discussion and Action) *(attachment) (approximately 30 minutes)*

5. **Public Comment:** Members of the public may address the Sunshine Ordinance Task Force (SOTF) on matters that are within SOTF's jurisdiction, but not on today's agenda. *(No Action)* ***Public comment shall be taken at 5:00 pm or as soon thereafter as possible.***

6. **File No. 13030:** Complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly failing to comply with an Immediate Disclosure Request for tenant's budget of 650 Eddy St. *(attachment)*

(a) Determination of jurisdiction on complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly failing to comply with an Immediate Disclosure Request for tenant's budget of 650 Eddy St. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly failing to comply with an Immediate Disclosure Request for tenant's budget of 650 Eddy St. *(approximately 45 minutes) (Discussion and Action)*

7. **File No. 13031:** Complaint filed by Amber Straus, against Thelma Schott-Skillman, Interim Chancellor, City College of San Francisco for allegedly failure to comply with a public records request. *(attachment)*

(a) Determination of jurisdiction on complaint filed by Amber Straus, against Thelma Schott-Skillman, Interim Chancellor, City College of San Francisco for allegedly failure to comply with a public records request. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by Amber Straus, against Thelma Schott-Skillman, Interim Chancellor, City College of San Francisco for allegedly failure to comply with a public records request. *(approximately 45 minutes) (Discussion and Action)*

8. **File No. 13033:** Complaint filed by Barry Taranto, against the Municipal Transportation Agency for allegedly violating Sunshine Ordinance §67.15(a) Public Testimony thereby censoring and abridging public testimony. *(attachment)*

(a) Determination of jurisdiction on complaint filed by Barry Taranto, against the Municipal Transportation Agency for allegedly violating Sunshine Ordinance §67.15(a) Public Testimony thereby censoring and abridging public testimony. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by Barry Taranto, against the Municipal Transportation Agency for allegedly violating Sunshine Ordinance §67.15(a) Public Testimony thereby censoring and abridging public testimony. *(approximately 45 minutes) (Discussion and Action)*

9. **File No. 13035:** Complaint filed by James Chaffee v the Board of Supervisors, Budget and Finance Committee for allegedly violating Government Code §54954.3(a) and Sunshine Ordinance §67.15(a) Public Testimony by failing to provide an opportunity for public comment before taking action. *(attachment)*

(a) Determination of jurisdiction on complaint filed by James Chaffee v the Board of Supervisors, Budget and Finance Committee for allegedly violating Government Code §54954.3(a) and Sunshine Ordinance §67.15(a) Public Testimony by failing to provide an opportunity for public comment before taking action. *(approximately 5 minutes) (Discussion and Action)*

(b) Hearing on complaint filed by James Chaffee v the Board of Supervisors, Budget and Finance Committee for allegedly violating Government Code §54954.3(a) and Sunshine Ordinance §67.15(a) Public Testimony by failing to provide an opportunity for public comment before taking action. *(approximately 45 minutes) (Discussion and Action)*

10. **Approval of Minutes from the March 6, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

11. **Approval of Minutes from the April 3, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

12. **Approval of Minutes from the May 1, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

13. **Approval of Minutes from the June 5, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

14. **Approval of Minutes from the July 9, 2013 Special Meeting.** *(approximately 5 minutes) (Action) (attachment)*

15. **Approval of Minutes from the August 7, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

16. **Approval of Minutes from the September 4, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

17. **Approval of Minutes from the October 2, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

18. **Approval of Minutes from the November 6, 2013 Regular Meeting.** *(approximately 5 minutes) (Action) (attachment)*

19. **Administrator's Report.** *(approximately 5 minutes) (Discussion)*

20. **Announcements, Comments, Questions, and Future Agenda Items.** *(approximately 10 minutes) (Discussion and Action)*

21. **ADJOURNMENT**

Agenda Item Information

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these documents, please contact the SOTF Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: http://www.sfbos.org/index.aspx?page=9811

For information concerning Sunshine Ordinance Task Force please contact by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Public Comment

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the subject of the meeting or hearing;. These comments will be made a part of the official public record.

Hearing Procedures

1.	Complainant presents his/her facts and evidence	5 minutes
	Other parties of Complainant present facts and evidence	Up to 3 minutes each
2.	City responds	5 minutes
	Other parties of City respond	Up to 3 minutes each
	Above total speaking times for Complainant and City to be the same.	
3.	Matter is with the Task Force for discussion and questions.	
4.	Respondent and Complainant presents clarification/rebuttal	3 minutes
5.	Matter is with the Task Force for motion and deliberation.	
6.	Public comment (Excluding Complainant & City response, witnesses)	Up to 3 minutes each
7.	Vote by Task Force (Public comment at discretion of chair on new motion and/or on new motion if vote fails.)	

Note: Time must be adhered to. If a speaker is interrupted by questions, the interruption does not count against his/her time.

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 6, 9, 19, 21, 47, 49, 71, and 71L. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-7854; or email sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at http://www.sfbos.org/sunshine.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices (Chapter 67A of the San Francisco Administrative Code).

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100, et. seq] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics

SUNSHINE ORDINANCE TASK FORCE
CITY AND COUNTY OF SAN FRANCISCO
MINUTES

Hearing Room 408
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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December 4, 2013 – 4:00 PM

Regular Meeting

Members: Kitt Grant (Chair), Louise Fischer (Vice-Chair), Richard Knee, Allyson Washburn, David Pilpel, David Sims, Todd David, Chris Hyland, Bruce Oka

1. **CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES**

The meeting was called to order at 4:12 p.m. All members were noted present. There was a quorum.

Chair Grant announced that the Complainant for File No. 12059 (Item 3) has withdrawn their complaint.

Member David, seconded by Member Fischer, moved to change the order of the agenda by moving File No. 13031 (Item 7) to the Item 2 slot and moving Item 2 (Records Retention) to the Item 7 slot on the agenda.

Public Comment:
None.

The motion PASSED by the following vote:
Ayes: 8 – Washburn, Pilpel, Sims, David, Hyland, Oka, Fischer, Grant
Noes: 1 – Knee

Chair Grant announced a request for File Nos. 13030 and 13033 (Items 6 and 8) to be continued, by the Complaint.

Member Pilpel, seconded by Member Knee, moved to accept the Complainants request for continuance of File Nos. 13030 and 13033 (Items No. 6 and 8).

Public Comment:
None.

The motion PASSED without objection.

2. **Proposed Sunshine Ordinance Task Force Records Retention Schedule:** The Task Force shall prepare, maintain and adopt a records retention and destruction policy as provided in §8.3 of the San Francisco Administrative Code.

   Wilson Ng, Records Manager, Office of the Clerk of the Board presented the proposed retention schedule.

   Member Pilpel, seconded by Member David, moved to adopt the revisions to the Sunshine Ordinance Task Force Records Retention Schedule.

   Public Comment:
   Peter Warfield expressed concerns over various aspects of the retention schedule.

   The motion PASSED without objection.

3. **File No. 12059:** The Compliance and Amendments Committee has referred File No. 12059, Supreet Pabla, SEIU Local 1021 against Human Services Agency for allegedly failing to provide records requested relevant to the representation of the bargaining unit's employees.

   The Complainant has withdrawn her complaint.

4. **File No. 13024:** The Compliance and Amendments Committee has referred File No. 13024, Mica Ringel against the Planning Department for allegedly failing to provide requested records associated with the proposed development of 480 Potrero Avenue. (Discussion and Action) *(attachment) (approximately 30 minutes)*

   LuLu Hwang and Sara Jones, Planning Department (Respondent) provided an overview of the Planning Departments defense and submitted additional information (CD). There were no speakers who offered facts and evidence in support of the Respondent. Mica Ringel (Complainant) provided an overview of the complaint. There were no speakers who offered facts and evidence in support of the Complainant. A question and answer period followed. The Respondent waived rebuttal. The Complainant provided a rebuttal.

   Member Knee, seconded by Member Hyland, moved to refer to the Ethics Commission.

   Public Comment:
   None.

   The motion FAILED by the following vote:
   Ayes: 5 – Knee, Washburn, Sims, Hyland, Oka
   Noes: 4 – Pilpel, David, Fischer, Grant

Member Washburn, seconded by Member Knee, moved to refer to the Education, Outreach and Training Committee to discuss possible changes to the Planning Department procedures.

Public Comment:
None.

The motion PASSED without objection.

5. **Public Comment:**

James Chafee expressed concern regarding various Public Library issues including equal access; Paula Datesh expressed concern in relation to the Arts Commissions process for replying to request for information and Immediate Disclosure Requests; Peter Warfield expressed concern regarding various Public Library issues and request that the SOTF maintain a list of previous.

6. **File No. 13030:** Complaint filed by Charles Pitts, against the Community Housing Partnership for allegedly failing to comply with an Immediate Disclosure Request for tenant's budget of 650 Eddy St. *(attachment)*

Continuance requested by Complainant and Respondent. Motion Passed (Item 1).

7. **File No. 13031:** Complaint filed by Amber Straus, against Thelma Scott-Skillman, Interim Chancellor, City College of San Francisco for allegedly failure to comply with a public records request.

Scott Dickey, San Francisco Community College District; (Respondent) challenged jurisdiction due to the fact that it is a political subdivision of the state of California and not subject to the Sunshine Ordinance. Amber Straus (Complainant) was not aware of the jurisdictional issue.

Public Comment: None.

Due to a lack of a motion, the Task Force FOUND NO JURISDICTION.

8. **File No. 13033:** Complaint filed by Barry Taranto, against the Municipal Transportation Agency for allegedly violating Sunshine Ordinance §67.15(a) Public Testimony thereby censoring and abridging public testimony.

Continuance requested by Complainant and Respondent. Motion Passed (Item 1).

RECESS 5:57 PM – 6:10 PM

9. **File No. 13035:** Complaint filed by James Chaffee v the Board of Supervisors, Budget and Finance Committee for allegedly violating Government Code §54954.3(a) and Sunshine Ordinance §67.15(a) Public Testimony by failing to provide an opportunity for public comment before taking action. *(attachment)*

Member Knee, seconded by Member Pilpel, moved to find jurisdiction.

Public Comment: None.

The motion PASSED without objection.

James Chaffee (Complainant) provided an overview of the complaint. The Complainant requested the Task Force to find violations. There were no speakers who offered facts and evidence in support of the Complainant. Wilson Ng, Records Manager, Board of Supervisors (Respondent) provided an overview of the Board of Supervisors, Budget and Finance Committee defense. There were no speakers who offered facts and evidence in support of the Respondent. A question and answer period followed. The Complainant responded to questions raised throughout the discussion and further requested the Task Force to find violations. The Respondent provided a rebuttal. The Complainant provided a rebuttal and further requested the Task Force to find violations.

Member Pilpel, seconded by Member Washburn, moved to find a violation of Sunshine Ordinance §67.15(c) and Government Code §54954.3(b) for failing to allow sufficient time for public comment; referral to the Education, Outreach and Training Committee for discussions with the Budget and Finance Committee Chair.

Public Comment: Paula Datesh expressed concern over the public comment process and described personal experiences; Peter Warfield expressed support of the motion and concerns in regard to the public comment process.

The motion PASSED by the following vote:
Ayes: 8 – Knee, Washburn, Pilpel, Sims, Hyland, Oka, Fischer, Grant
Noes: 1 – David

10. **Approval of Minutes from the March 6, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 10 through 18, to the February 5, 2013 meeting.

Public Comment: Peter Warfield expressed concern over the how long the Sunshine Ordinance Administrator will hold the position.

The motion PASSED without objection.

11. **Approval of Minutes from the April 3, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 10 through 18, to the February 5, 2013 meeting.

Public Comment: Peter Warfield expressed concern over how long the Sunshine Ordinance Administrator will hold the position.

The motion PASSED without objection.

12. **Approval of Minutes from the May 1, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 10 through 18, to the February 5, 2013 meeting.

Public Comment: Peter Warfield expressed concern over the how long the Sunshine Ordinance Administrator will hold the position.

The motion PASSED without objection.

13. **Approval of Minutes from the June 5, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 10 through 18, to the February 5, 2013 meeting.

Public Comment: Peter Warfield expressed concern over the how long the Sunshine Ordinance Administrator will hold the position.

The motion PASSED without objection.
(approximately 5 minutes) (Action) (attachment)

14. **Approval of Minutes from the July 9, 2013 Special Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 10 through 18, to the February 5, 2013 meeting.

Public Comment: Peter Warfield expressed concern over the how long the Sunshine Ordinance Administrator will hold the position.

The motion PASSED without objection.

15. **Approval of Minutes from the August 7, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 10 through 18, to the February 5, 2013 meeting.

Public Comment: Peter Warfield expressed concern over the how long the Sunshine Ordinance Administrator will hold the position.

The motion PASSED without objection.

16. **Approval of Minutes from the September 4, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 10 through 18, to the February 5, 2013 meeting.

Public Comment: Peter Warfield expressed concern over the how long the Sunshine Ordinance Administrator will hold the position.

The motion PASSED without objection.

17. **Approval of Minutes from the October 2, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 10 through 18, to the February 5, 2013 meeting.

Public Comment: Peter Warfield expressed concern over the how long the Sunshine Ordinance Administrator will hold the position.

The motion PASSED without objection.

18. **Approval of Minutes from the November 6, 2013 Regular Meeting.**

Member Knee, seconded by Member Pilpel, moved to CONTINUE Items 10 through 18, to the February 5, 2013 meeting.

Public Comment: Peter Warfield expressed concern over the how long the Sunshine Ordinance Administrator will hold the position.

The motion PASSED without objection.

19. **Administrator's Report.**

Report was given by Victor Young, Sunshine Ordinance Task Force Administrator.

20. **Announcements, Comments, Questions, and Future Agenda Items.**

Member Pilpel provided an update on the Education, Outreach and Training Committee.

21. **ADJOURNMENT**

There being no further business, the Task Force adjourned at 7:50 p.m.

APPROVED: April 30, 2014

Victor Young

Victor Young
Administrator
Sunshine Ordinance Task Force

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